MINUTES

OF THE

TRUSTEES

OF THE

Internal Improvement Trust Fund

State of Florida

VOLUME XXXVII

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TALLAHASSEE, FLORIDA

1971

Tallahassee, Florida
July 2, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved minutes of the meeting of June 25, 1968.

The Director distributed to the members a communication which was entitled "Response to Charges Made by Representative M. T. Randell" against the Director. Copies were also given to the press.

BREVARD COUNTY - Dredge Permit, Section 253.123. Department of the Army, Jacksonville District, Corps of Engineers, made application for permit to deepen the existing Saturn Barge Channel from the barge canal north to the VAC turning basin in the Banana River in Townships 22, 23 and 24 South, Range 37 East, Brevard County. The present depth of minus-ten feet MSL would be increased to minus-thirteen feet MSL. Material removed would be deposited upon spoil areas under dedication to the United States, spaced at 900-foot intervals and located 750 feet from the channel edge.

Staff requested waiver of biological or ecological report as provided under Section 253.123(3)(a) for this public project.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the dredging permit.

DADE COUNTY - Dredge Permit, Beach Nourishment, Section 253.123. W. H. Webb, Village Manager, for the Village of Bal Harbour, applied for permit to remove 100,000 cubic yards of material from two spoil islands in Biscayne Bay in Sections 22, 23, 26 and 27 in Township 52 South, Range 42 East, Dade County.

The material would be used for a beach nourishment project approved by the Staff of the Florida Board of Conservation, which reported that the dredge area was sandy and unvegetated, and that the project should have no significant adverse effects on the marine resources of the area.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of the permit.

MONROE COUNTY - Dredge Permit, Section 253.03. Charles H. Netter, on behalf of Palmhurst, Inc., was present last week and the Trustees granted his request to have placed on the agenda as an emergency or hardship his application for permit to construct six canals across applicant-owned 11.47 acres of submerged land, and a perimeter navigation channel adjacent to applicant's ownership on the Gulf of Mexico side of Big Coppitt Key in Section 22, Township 67 South, Range 26 East, Monroe County. The material excavated from the interior and perimeter channels was to be placed on upland property of the applicant.

Florida Board of Conservation by letter of June 24, 1968, reported that the subject area was not a sport or commercial fishery habitat, but it had marginal value as a nursery ground for marine life and as a bird habitat. The red mangroves, seagrasses and algae concerned were not as lush or productive as in many other shallow marine areas in the Florida Keys.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the permit be approved.

PALM BEACH COUNTY - Dredge Permit, Section 253.123. Florida Public Utilities, represented by Gee and Jenson, Consulting Engineers, Inc., of West Palm Beach, Florida, applied for permit to install a 6-inch subaqueous gas line crossing the Intracoastal Waterway in Sections 9 and 16, Township 47 South, Range 43 East, Palm Beach County.

Staff requested waiver of the requirement for biological or ecological study as provided under Section 253.123(3)(a), since the public need will be served.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and Mr. Christian, that the permit be approved. Without objection, the motion was adopted.

ESCAMBIA COUNTY - Dock Permit, Section 253.03. M. L. Sheppard, Shelter Cove Marina, Mobile, Alabama, applied for a permit for construction of a dock for commercial purposes south of the Intracoastal Waterway in Big Lagoon in Section 14, Township 3 South, Range 32 West, Escambia County. All required exhibits, including $100.00 processing fee, were submitted.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved issuance of the dock permit.

COLLIER COUNTY - Oil and Gas Drilling Lease. The Trustees on May 21, 1968, authorized advertising for a five-year oil and gas

drilling lease, pursuant to law, of their reserved one-half interest in the underlying petroleum and petroleum products in the NW¼ of NW¼ of Section 5, Township 46 South, Range 30 East, Collier County. Proof of publication was filed in the Trustees' office of legal notices published in the Tallahassee Democrat and Collier County News, calling for bids to be opened on this date and reserving the right to reject any and all bids.

The only sealed bid received was from Sun Oil Company which was opened and read. Sun Oil Company offered $250.00 consideration and $20.00 rental for the first year for a State Drilling Lease for oil, gas, sulphur, salt and/or brines covering the reserved interest of the Trustees in the 40 surface acres, and agreed to pay all advertising costs if it was the successful bidder. Cashier's checks for the above amounts were enclosed.

Staff recommended acceptance of the bid from the qualified bidder, Sun Oil Company.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the bid be accepted for the lease of the Trustees' reserved one-half interest.

PALM BEACH COUNTY - The Board of Regents requested issuance of an easement to the Florida Power and Light Company for the purpose of providing electrical service to the Alexander D. Henderson University School at the Florida Atlantic University. The easement was approved by the Board of Regents, and approved as to form and legality by the Attorney General. Easement was requested on a strip of land 10 feet wide and 284 feet long in the SW¼ of Section 18 and NW¼ of Section 19 in Township 47 South, Range 43 East, Palm Beach County.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the Trustees approve issuance of the easement requested by the Board of Regents for Florida Power and Light Company.

DADE COUNTY - Proposed Biscayne National Monument. On June 18, 1968, the Trustees gave consideration to request received by Governor Kirk from Secretary of the Interior Stewart L. Udall, that the State of Florida advise as to their position concerning the availability of state-owned lands without cost in the event authorizing legislation is enacted creating Biscayne National Monument. After due consideration, the Trustees adopted a motion requesting the Attorney General to assist the Staff in preparation of a suitable resolution outlining the position of the State of Florida with respect to those state-owned lands.

Draft of a resolution prepared by the office of the Attorney General which outlined the position of the Trustees in the event the Congress adopts enabling legislation was presented for consideration. It had been forwarded to all Trustees and liaison staff members for their review.

Mr. Faircloth said he would like to suggest that the wording of the draft be changed to show "...acquisition of all privately owned lands within the Monument area" and that a time limitation be included.

Motion was made by Mr. Adams, seconded by Mr. Christian, that the

first suggestion be adopted. Mr. Williams made a motion, seconded by Mr. Christian, that the commitment would expire within one year.

The resolution prepared by the Attorney General, as amended and adopted unanimously by the Trustees, is as follows:

See modified resolution, minutes of July 9,1968

RESOLUTION
RELATING TO DONATION, UNDER CERTAIN CONDITIONS, OF STATE-OWNED LANDS FOR INCLUSION IN PROPOSED BISCAYNE NATIONAL MONUMENT IN DADE COUNTY, FLORIDA

WHEREAS, the Governor and Cabinet Board of Commissioners of State Institutions of the State of Florida, at the request of the Board of County Commissioners of Dade County and of more than thirty (30) civic, governmental and conservationist organizations, did adopt on June 13, 1967, a resolution reaffirming the State's interest in and support for the establishment of Biscayne National Monument in the Islandia area as proposed in House Resolution 551, and did request that the Congress of the United States expedite consideration of House Resolution 551 so that the preservation of this unique marine area in its pristine state may be assured through establishment of said Biscayne National Monument; and

WHEREAS, the Secretary of the United States Department of Interior has advised the Governor of Florida that the House Committee on Interior and Insular Affairs is now considering Department of Interior plans for the acquisition, development and management of a proposed Biscayne National Monument; and

WHEREAS, the Secretary of Interior has advised the Governor in a letter of June 7, 1968, which letter the Governor as Chairman presented to the Trustees of the Internal Improvement Fund on June 18, 1968, that "although it is not enunciated in House Resolution 551, the Committee has a long-standing policy that State lands acquired for park purposes will be secured without a transfer of funds", and requesting " a statement as to the position of the State of Florida regarding the donation of the involved State lands in the event that this area is authorized by Congress"; and

WHEREAS, the proposed area to be encompassed by Biscayne National Monument includes privately owned lands as well as State-owned lands; Now, Therefore,

BE IT RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, That the Trustees of the Internal Improvement Fund herewith agree to donate said State-owned lands only after completion of (1) Congressional authorization and designation of the proposed Biscayne National Monument, and (2) Congressional appropriation of federal funds for acquisition of all privately owned lands within the Monument area, at just compensation to the private owners.

This commitment shall expire one year from date of adoption of this resolution.

IN WITNESS WHEREOF, the said Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and have caused the official seal of said Trustees to be hereunto affixed, in the City of Tallahassee, Florida, on this the 2nd day of July, A.D. 1968.

CLAUDE R. KIRK, JR.
Governor

7-2-68

TOM ADAMS
Secretary of State

EARL FAIRCLOTH
Attorney General

FRED O. DICKINSON, JR.
Comptroller

BROWARD WILLIAMS
Treasurer

FLOYD T. CHRISTIAN
Superintendent of Public Instruction

DOYLE CONNER
Commissioner of Agriculture

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved Report No. 935 listing one regular bid for sale of land in Seminole County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

REFUNDS - Murphy Act. On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized refund of the amount of $10.00 to each of the three following applicants, being the fee tendered for release of the state road right of way reservation contained in the numbered Murphy Act deeds, for the reason that the State Road Department declined to recommend release of the reservations.

Hillsborough County Deed No. 1344 - Guaranty Title Company
Hillsborough County Deed No. 2647 - Mrs. W. A. Highsmith
Hillsborough County Deed No. 3823 - Stewart Title Company

On motion duly adopted, the meeting adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
July 9, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams Secretary of State, Acting Chairman

7-9-68

Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved minutes of the meeting of July 2, 1968.

BREVARD COUNTY - File No. 2117-05-253.12. On May 28, 1968, the Trustees authorized advertisement for objections only of two parcels of previously filled sovereignty land lying within Lots 16 and 23, State Tree Shores Subdivision, Plat Book 8, Page 48, in Section 10, Township 22 South, Range 35 East, at one time being the submerged bottoms of Indian River landward of the established bulkhead line in Brevard County, containing 0.196 acre, more or less, in the City of Titusville, Florida. Notice of sale was published in the Titusville Star-Advocate, proof of publication filed and no objection to the sale received.

Application was made by O. B. Hunter, Jr., William D. Dolan and August Kramm, who offered to pay $1,500.00 per acre for the sovereignty land and in addition, offered to pay 50¢ per cubic yard for the 3,162 cubic yards of material previously used to fill the subject parcel. The minutes of May 21 contained complete information on this application for two parcels now fully developed and due to no fault of the applicants, being a portion of a motor lodge complex in Titusville.

On motion by Mr. Dickinson, adopted without objection, the Trustees confirmed sale of the advertised land at the appraised price of $1,500.00 per acre plus payment for the used fill material as offered by the applicants.

DADE COUNTY - Dredge Permit, Section 253.123. Southern Bell Telephone and Telegraph Company of Jacksonville, Florida, applied for a permit for installation of a submarine cable crossing the Intracoastal Waterway in Section 14, Township 52 South, Range 42 East, Dade County. Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served by the work.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of the permit.

DADE COUNTY - Dredge Permit, Section 253.123. Southern Bell Telephone and Telegraph Company of Jacksonville, Florida, applied for permit for installation of a submarine conduit crossing the Intracoastal Waterway in Section 8, Township 53 South, Range 42 East, in Biscayne Bay, Dade County. Staff requested waiver of the biological or ecological survey as provided in Section 253.123(3)(a) Florida Statutes, as the public need would be served.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of the permit.

PINELLAS COUNTY - File Nos. 17447, 19742A, 22310-52-253.124 and 253.123, Dredge and Fill Permits.

Under the emergency provisions of the moratorium, the Trustees on June 25, 1968, considered a request for approval of dredge and fill permit issued by the Pinellas County Water and Navigation Control Authority on June 6, 1968, to C. R. Dudley, Jr., under the provisions of Section 253.124 Florida Statutes, and also request for issuance of a dredge permit under Section 253.123 Florida Statutes to dredge 74,600 cubic yards of material bayward of the bulkhead line to accomplish the filling authorized in the above dredge and fill permit. The applicant would make payment for the fill material at the standard rate of 5¢ per cubic yard. The Trustees deferred action pending resolution of problems involving sources of the dredge material.

The Board of Conservation in meeting on this date approved the application by Leo Butler, on behalf of C. R. Dudley, Jr., and also an application for H. H. Baskin, Jr., as Agent and Attorney, for coastal construction permit for a seawall, a revetment and to back-fill, the material for the back-fill to be dredged from spoil area No. 100 E-4. 36,000 cubic yards, more or less, of material would be dredged for the second application, for which the dredge and fill permit was approved by Pinellas County Water and Navigation Control Authority on July 5, 1968.

On the basis of the recommendations by the Division of Beaches and Shores and the action on this date by the Board of Conservation, the Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees approved the dredge and fill permit issued by Pinellas County on June 6, 1968, to C. R. Dudley, Jr., under Section 253.124, and authorized issuance of a dredge permit under Section 253.123 to said applicant to dredge 74,600 cubic yards of material from the dredge area approved by the Board of Conservation subject to payment for the material at 5¢ per cubic yard.

On motion by Mr. Conner, adopted without objection, the Trustees waived the rules to consider the application for H. H. Baskin, Jr., as Agent and Attorney.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, that the Trustees also approve the dredge and fill permit issued by Pinellas County on July 5, 1968, to H. H. Baskin, Jr., as Agent and Attorney, under Section 253.124, and authorized issuance of a dredge permit under Section 253.123 to said applicant to dredge 36,000 cubic yards, more or less, from the dredge area approved by the Board of Conservation subject to payment for the material at 5¢ per cubic yard.

LEE COUNTY - Legislative Grant; Fill Permit; Sections 253.124 and 253.123.

The City of Fort Myers, Florida, on May 7, 1968, issued a fill permit to Vacation Time, Inc., c/o Holiday Inn, Fort Myers, under the provisions of Section 253.124 Florida Statutes, to fill a 0.33 acre parcel of submerged land in the Caloosahatchee River in Sections 14 and 23, Township 44 South, Range 24 East, title to which was formerly vested in the City of Fort Myers by Special Act of the Legislature in 1915. The Trustees were requested to approve the fill permit, and also to issue a dredge permit to said applicant under the provisions of Section 253.123 Florida Statutes, to dredge a small access channel from the channel of the Caloosahatchee River to the subject

parcel and to use the spoil therefrom to fill said parcel, all from bottoms owned by the city in Lee County.

The application was placed on the agenda at the request of Honorable Broward Williams, Treasurer of the State of Florida, since the Inter-Agency Advisory Committee on Submerged Land Management had reviewed the dredge and fill application and found no objection to the project. On July 2, 1968, the Committee had agreed that the application might be placed on the Trustees' agenda.

The biological report submitted by the Board of Conservation to the Mayor of the City of Fort Myers under date of May 21, 1968, showed that the fill and channel areas had been affected by previous dredging and filling and siltation, and the proposed project would not adversely affect marine life.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the dredge and fill permit issued by the City of Fort Myers under Section 253.124 Florida Statutes, and authorized issuance of a dredge permit under Section 253.123 for construction of the access channel.

LEE COUNTY - Artificial Reef Permit. Application was made by D. K. O'Mahony on behalf of Fort Myers Shell and Dredging Co., Inc., for permit to construct an artificial reef in the Caloosahatchee River in Section 33, Township 44 South, Range 24 East, Lee County. The reef will be constructed by sinking two steel barges in water depth of minus 32 feet Mean Low Water, and the minimum water depth over the barges will be minus 26 feet Mean Low Water.

The Board of Conservation reported favorably on the project and the Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Conner and Mr. Williams, and adopted unanimously, that the Trustees authorize issuance of the artificial reef permit for $50.00 charge.

DUVAL COUNTY - Dock Permit. Cdr. W. H. Bannister on behalf of the Department of the Navy, U. S. A., applied for permit to extend an existing pier in the St. Johns River adjacent to the Naval Hospital, Jacksonville, Florida, in Section 44, Township 3 South, Range 26 East, Duval County.

All required exhibits were submitted and the Staff recommended waiver of the $100.00 processing fee and approval of the permit.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of the dock permit without charging the usual processing fee.

OKALOOSA COUNTY - Easement, Section 253.03. Arthur L. Cook of Pensacola, Florida, requested right of way 20 feet wide and 571 feet long across land in use by the Florida Board of Forestry in Blackwater River State Forest, in order to gain access to his private ownership in the S½ of NE¼ of Section 34, Township 6 North, Range 25 West, Okaloosa County. In return, Mr. Cook agreed to provide access for the Board of Forestry, its employees and other authorized persons, across his land to an area on the Blackwater

River owned by the state which at present is inaccessible. He will do all the road construction at no cost to the state.

The Board of Forestry approved the request. In consideration of the benefits which will accrue to the state, the Staff recommended issuance of an easement to the applicant.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the easement as requested.

SANTA ROSA COUNTY - Oil and Gas Drilling Lease. On May 28, 1968, upon application of St. Mary de Galvez Corporation of Pensacola, Florida, the Trustees authorized advertisement for competitive sealed bids for an oil and gas drilling lease covering approximately 47,932 acres of submerged water bottoms in East Bay, Blackwater Bay and that portion of Escambia Bay lying in Santa Rosa County. Legal notices were published in the Tallahassee Democrat and the Milton Press-Gazette calling for sealed bids on or before 10:00 A.M. on July 9, 1968, for a 10-year state drilling lease requiring a royalty of 1/8 in kind or in value for oil and gas and 5% of value at well-head for sulphur, salt and/or other brines produced, and an annual rental of 20¢ per acre. Lease will require lessee to commence drilling at least one test well within the first year period of the lease with all wells to be drilled to a depth of 6,000 feet or to 200 feet below the top of the Lower Tuscaloosa formation - whichever is deeper. The successful bidder would be required to pay all advertising costs, and the Trustees reserved the right to reject any or all bids.

The only bid received was opened by Staff Member James T. Williams and read. It was from J. Melvin Young, Arden A. Anderson and Philip D. Beall, all of Pensacola, offering a cash consideration of $9,836.50, consisting of the first year's rental in the amount of $9,586.40 and a bonus of $250.10. The Director pointed out that the proposed lease required commencement of drilling a test well within one year, instead of the 2½ years required by law.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees directed that the Staff review the bid received, and bring the matter back for action next week.

SHELL LEASE REPORT - On motion by Mr. Williams, adopted without objection, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$9,936.50
1788	Benton and Company, Inc.	5,358.26
2233	Bay Dredging & Construction Co.	4,953.29
2235	Ft. Myers Shell & Dredging Co.	98.02

PINELLAS COUNTY - On April 30, 1968, the Board of Commissioners of State Institutions approved the recommendation of the Cabinet Committee to accept a parcel of land without cost from the City

of St. Petersburg on Mirror Lake as the site of a new state office building in Pinellas County. The Attorney General examined and approved the title to the parcel. Deed dated June 12, 1968, from the City of St. Petersburg conveying title to the 3.26 acre parcel to the Trustees for use as a site for a state office building was received for acceptance by the Trustees.

It was recommended that the Trustees agree to continued use by the city of the Water Department Building located on the site until such time as the state requires the site for construction, that the state provide a sidewalk along the perimeter of Mirror Lake from Second Avenue North to Third Avenue North, and that the state maintain the existing lake shoreline in substantially its present condition.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees accepted title to the parcel and agreed to the above three recommendations as to use of the parcel, sidewalk and shoreline maintenance.

TRUSTEES POLICY - Guide lines for establishing value of fill material for future transactions. On February 27, 1968, Governor Kirk appointed a special committee of Trustees, with Secretary of State Tom Adams named as chairman, for the purpose of reviewing and making recommendations to the Trustees concerning several areas, including the amount to be charged for fill material. This special committee made a report to the Trustees on May 14, 1968, which included authorization to appoint technical advisory committee of registered appraisers and professional engineers to make recommendations to the Trustees as to guidelines for establishing the value of fill material.

Secretary of State Tom Adams, chairman of the subcommittee, by memorandum of July 3, 1968, recommended creation of a "Technical Advisory Committee on Fill" to consist of five members, three of whom should be professional engineers and the other two to be registered appraisers. Mr. Adams suggested the appointment of the five persons named hereafter.

Mr. Dickinson said he thought they were well qualified and made a motion, seconded by Mr. Williams and adopted without objection, that the following persons suggested by Mr. Adams be appointed as a Technical Advisory Committee on Fill:

Professional Engineers: (1) Richard B. Hellstrom, P. E., Chairman (Administrative Assistant to Secretary of State Tom Adams); (2) P. J. White, P. E. (Assistant State Highway Engineer for Construction, Florida State Road Department); (3) Kenneth C. Mock, P. E. (President of Mock, Roos and Searcy, Consulting Engineers); and

Registered Appraisers: (4) N. R. Boutin, M. A. I. (Assistant Chief Appraiser, Florida State Road Department); and (5) James M. Doss, S. R. A. (Bradenton Appraiser).

On motion duly adopted, the Trustees designated Mr. Conner as chairman, Messrs. Faircloth and Dickinson as members, of a special committee to review the information and documentation furnished by the Director last week as the response to charges made by Representative M. T. Randell, and to make recommendation to the Trustees at a later date.

DADE COUNTY - Proposed Biscayne National Monument. On July 2, 1968, the Trustees adopted a resolution relating to donation, under certain conditions, of state-owned lands for inclusion in the proposed Biscayne National Monument in the Islandia area in Dade County. In the consideration of the matter by the House Committee on Interior and Insular Affairs in Washington, some questions arose because of the wording in the resolving clause under (2) which read as follows: "Congressional appropriation of federal funds for acquisition of all privately owned lands within the Monument area, at just compensation to the private owners." Mr. Faircloth said that it seemed to be a matter of semantics which might interfere with the progress on the establishment of a National Monument, and that to the extent that the Board could accommodate by amending the wording in the resolution while still preserving the state's right to some 85,000 acres of submerged land in the area, he thought the Trustees would reconsider the resolution.

Mr. Adams and Mr. Faircloth said it had been made clear from actions in the past that the Cabinet had gone on record as favoring the monument idea, and that the Governor had sent a telegram on July 8th to help resolve the problem.

Mr. J. F. Redford, State President of Izaak Walton League and for several years actively engaged in the monument establishment, said that the difficulty was that the monument land was not to be paid for by an appropriation but by a Land and Water Conservation Bill, that if the Trustees wished to change their terminology in the resolution he would suggest that the Committee be advised immediately and possibly Congressman Dante Fascell, also.

Mr. Faircloth said the Trustees wanted to be sure there would be no unreasonable delay, that the boundaries of the monument would be designated and the citizens compensated for their land, and the Trustees had put a time limit on the offer to donate the large amount of state submerged land, 85,000 acres. Mr. Adams said the record should show that if there appeared to be a dilatory effort on the part of the federal authorities to move forward with dispatch, then the state was not necessarily bound, and he pointed out their concern over the fact that some people still had not been paid in the Everglades National Park.

Mr. Faircloth suggested that the resolution be amended to substitute "Congressional authorization for the appropriation.." which was accepted by the other members. Mr. Redford said he thought that was fair for both sides.

Mayor Ralph A. Fossey of the City of Islandia said that the Islandia property owners asked for nothing but fair and above-board treatment, plus the opportunity to be heard in public forum. Their concern was that there were many different areas in the United States that were authorized but not paid for, including many thousand acres in Everglades National Park. He disagreed with the Board's stand on the monument, for the reason that he would prefer it to be a state rather than federal acquisition, in the hands of our state elected officials.

Mr. Fossey called attention to another thing, that Congress make provision for the orderly transfer of all the obligations of the municipality and assist in the obvious necessity of dissolution of the municipality. The City of Islandia had obligations with planners, engineers, they had cleared miles of right of way, and they had attempted to have a conference with the Secretary of the Interior, Stewart Udall, or his representative about this.

Mr. Conner said it was only fair to include the municipality, and Mr. Adams suggested "acquisition of all non-federally-owned land within the monument area." Mr. Fossey said he hoped the intent was to show clearly that appropriation was available to pay just compensation to all property owners within a reasonable time. Mr. Adams said he was sure there would have to be some judicial determination as to what just value was, and Mr. Faircloth agreed that the one year limitation would not include a total closing of all negotiations but that the federal government would designate the park limits and have the money properly designated before the state lands would be given.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and Mr. Williams, and adopted unanimously, that the amendments suggested by Mr. Faircloth and by Mr. Adams be substituted in the revised resolution which, as modified, read as follows:

R E S O L U T I O N
RELATING TO DONATION, UNDER CERTAIN CONDITIONS, OF STATE-OWNED LANDS FOR INCLUSION IN PROPOSED BISCAYNE NATIONAL MONUMENT, DADE COUNTY, FLORIDA

WHEREAS, the Governor and Cabinet Board of Commissioners of State Institutions of the State of Florida, at the request of the Board of County Commissioners of Dade County and of more than thirty (30) civic, governmental and conservationist organizations, did adopt on June 13, 1967, a resolution reaffirming the State's interest in and support for the establishment of Biscayne National Monument in the Islandia area as proposed in House Resolution 551, and did request that the Congress of the United States expedite consideration of House Resolution 551 so that the preservation of this unique marine area in its pristine state may be assured through establishment of said Biscayne National Monument; and

WHEREAS, the Secretary of the United States Department of the Interior has advised the Governor of Florida that the House Committee on Interior and Insular Affairs is now considering Department of Interior plans for the acquisition, development and management of a proposed Biscayne National Monument; and

WHEREAS, the Secretary of Interior has advised the Governor in a letter of June 7, 1968, which letter the Governor as Chairman presented to the Trustees of the Internal Improvement Fund on June 18, 1968, that "although it is not enunciated in House Resolution 551, the Committee has a long-standing policy that State lands acquired for park purposes will be secured without a transfer of funds," and requesting "a statement as to the position of the State of Florida regarding the donation of the involved State lands in the event that this area is authorized by Congress"; and

WHEREAS, the proposed area to be encompassed by Biscayne National Monument includes privately-owned lands as well as State-owned lands; Now, Therefore,

BE IT RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, That the Trustees of the Internal Improvement Fund herewith agree to donate said State-owned lands only after completion of (1) Congressional authorization and designation of the proposed Biscayne National Monument, and (2) Congressional authorization for the appropriation of federal funds for acquisition of all non-federally-owned lands within the Monument area, such acquisition to provide just compensation to said owners.

The above determination by the Federal Government shall be made

within one year from date hereof or this commitment will expire.

IN WITNESS WHEREOF this Resolution is signed on this 9th day of July, A. D. 1968, by Honorable Tom Adams, Secretary of State, Acting Chairman of the Trustees of the Internal Improvement Fund, and attested by Robert C. Parker, Director-Secretary.

(s) TOM ADAMS
Secretary of State

ATTEST: (s) ROBERT C. PARKER
Director - Secretary

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
July 16, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director

On motion duly adopted, the Trustees approved minutes of the meeting of July 9, 1968.

CHARLOTTE COUNTY - Bulkhead Line. Section 253.122 Florida Statutes. Presented to the Trustees for consideration, at the recommendation of the Interagency Advisory Committee on Submerged Land Management, was a bulkhead line in the Peace River in Section 6, Township 41 South, Range 23 East, Charlotte County. The City Council of the City of Punta Gorda by resolution adopted June 4, 1968, located and fixed the bulkhead line and there were no objections at the local hearing.

The Florida Board of Conservation reported that the area was a low, mud-sand shoal with no seagrass growth, and that filling of the submerged land would probably not significantly affect marine resources of the area.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line established by the City of Punta Gorda on June 4, 1968.

COLLIER COUNTY - Bulkhead Line. Section 253.122 Florida Statutes. Presented to the Trustees for consideration, at the recommendation of the Interagency Advisory Committee on Submerged Land Management, was a bulkhead line which the Board of County Commissioners of Collier County by resolution adopted July 9, 1968, established in Big Marco River in Sections 4 and 9, Township 52 South, Range 26 East, around the filled approaches to the proposed State Road No. 951 bridge to Marco Island from Bear Point in Collier County.

The submerged land lying inside the bulkhead line was inadvertently filled under Department of Army permit issued prior to the passage of Chapter 67-393, Laws of Florida, which made Section 253.12 applicable to the state, its agencies and all political subdivisions and governmental units.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line established by the Board of County Commissioners of Collier County on July 9, 1968.

DUVAL COUNTY - Bulkhead Line and Dedication. Secretary of State Tom Adams described an application by the City Commission of the City of Jacksonville, Florida, for approval of a bulkhead line in the Trout River and dedication of submerged lands in connection with expansion of the Jacksonville Zoological Park and development of a marina, involving filling an area extending from the north shore of the Trout River. He said there had been an ecological report and the project was cleared by the Board of Conservation, and that if the Staff had sufficient information so that the Trustees could proceed to take action, he requested that the rules be waived and the application be considered by the members.

The Director said that the city was in the process of acquiring title to one parcel of upland property, that the Staff reviewed the application on July 15th with Messrs. Irving C. Alsobrook, Jr., and H. George Carrison, representing the City of Jacksonville, and saw no impediments to the public project.

Mr. Williams seconded the motion of Mr. Adams to waive the rules and give the application consideration on this date. Without objection, the motion was adopted.

Mr. Adams said that since it would expedite the action which the City of Jacksonville must take in securing matching funds, he made a motion that the Trustees approve the bulkhead line adopted by resolution dated July 15, 1968, of the City Commission of the City of Jacksonville, and authorize the Staff to proceed to advertise for objections only on the dedication of submerged land inside said bulkhead line, described as 7 acres in Section 45, Township 1 South, Range 27 East, Duval County, to be used for public park, recreation and municipal purposes of the city.

The motion was seconded by Mr. Williams and without objection, adopted.

GLADES COUNTY - Central and Southern Florida Flood Control District applied for permit to excavate a boat channel and hyacinth barrier across the shallow area of Lake Okeechobee from the boat lock adjacent to Structure 127 in Section 2, Township 39 South, Range 34 East, in Glades County, to deep water.

Florida Game and Fresh Water Fish Commission reported favorably on the proposal subject to the leaving of six breaks in the hyacinth barrier at designated boat trails, and the Staff' recommended approval.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the permit requested by Central and Southern Florida Flood Control District with the six breaks in the barrier.

PALM BEACH COUNTY - Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for the following:

(1) permit to install a submarine cable crossing the Intracoastal Waterway, North of Lake Worth Bridge, in Section 35, Township 43 South, Range 43 East, and

(2) permit to install a submarine cable crossing the Intracoastal Waterway North of the Royal Palm Bridge in Section 22, Township 43 South, Range 43 East,

both in Palm Beach County. The Staff requested waiver of the biological or ecological study as provided under Section 253.123 (3)(a) as the public need would be served.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of the permits requested.

VOLUSIA COUNTY - Florida Board of Parks, by Director N. E. Miller, requested permit to install a four-inch steel submarine water main across the St. Johns River in Section 35, Township 17 South, Range 29 East, to provide potable water to Hontoon Island for development and operational purposes. The Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the permit be issued.

VOLUSIA COUNTY - Florida Power Corporation, St. Petersburg, Florida, applied for permit to install a submarine power line across the St. Johns River in Section 35, Township 17 South, Range 29 East, Volusia County, to provide electrical service to Hontoon Island, the new development of the Florida Board of Parks. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted uananimously, that the permit be authorized.

INDIAN RIVER COUNTY - The State Road Department requested temporary dredging area easement in the Indian River in Section 27, Township 31 South, Range 38 East, Indian River County, in connection with construction of Wabasso Bridge. The dredging areas contained a total of 6.86 acres and the easement, to expire on April 10, 1972, would be subordinate to all prior grants given by the Trustees and the United States.

A biological report from the Board of Conservation indicated that dredging would not affect marine biological resources of the area.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees authorized the temporary dredging easement to the State Road Department.

INDIAN RIVER COUNTY - The State Road Department applied for permit to remove 107,000 cubic yards of material from the Indian River in Section 27, Township 31 South, Range 39 East, Indian River County, to be placed on uplands at each end of the bridge at Wabasso, State Road 510, to raise the bridge approaches.

A biological report submitted by the Board of Conservation indicated that dredging would not affect marine resources.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the permit to the State Road Department.

DADE COUNTY - Mr. Charles H. Rosenberg on behalf of Seacoast Towers West Apartments, Miami Beach, Florida, applied for permit to construct a dock in Indian Creek in Section 14, Township 53 South, Range 42 East, Dade County, to be used by the tenants of said apartments. All required exhibits, including the $100.00 processing fee, were submitted.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to the applicant.

POLK COUNTY - Mr. Tom Talbott III, on behalf of Chas. Orr's Marina, Inc., applied for permit to construct a marina for boat rental and storage in Lake Howard adjacent to his upland property described as Tract B-1, Tropical Park Replat, Winter Haven, Florida. All required exhibits, including the $100.00 processing fee, were submitted.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to the applicant.

DUVAL COUNTY - Dedication, Perpetual Spoil Easements.

A. Mr. F. Bradley Kennelly, attorney for the Jacksonville Port Authority, local sponsor, on behalf of the United States of America, applied for a perpetual easement covering (1) spoil area in the St. Johns River in Township 1 South, Range 27 East, containing 232.0 acres; (2) an additional area in the St. Johns River in Township 1 South, Ranges 27 and 28 East, lying southerly of an existing spoil area at Quarantine Island, said additional

area comprising 272.53 acres; and (3) a spoil area in the St. Johns River in Townships 1 and 2 South, Range 27 East, containing 77.02 acres.

The spoil areas were to be used in connection with the Jacksonville Harbor Deepening Project as authorized by River and Harbor Act of October 27, 1965. Letter dated May 24, 1967, from the Director of the Florida Board of Conservation made general comments as to the overall project. As the three tracts were located in the open waters of the St. Johns River, and in view of the public nature and benefits of the authorized improvements, Staff recommended that additional biological studies be waived and the easements be authorized.

B. Also requested for permanent spoiling was a 173.07 acre tract in the Atlantic Ocean abutting the North Jetty right of way line at the mouth of the St. Johns River in Section 20, Township 1 South, Range 29 East, also known as Ward's Bank. It was proposed that the spoil area would serve additionally as a future source of material for beach nourishment. Mr. W. T. Carlton, Director of Beaches and Shores Division of the Board of Conservation, offered no objection to deposit of materials in the proposed spoil area.

Staff requested authority to issue the easements called for, on the spoil areas described above.

Mr. Adams said that he believed there was no hesitancy on the part of any of the Trustees to give authority for such spoil easements where public works projects of this kind were involved. But he raised the question of the future use of the areas which increased in value after deposit of spoil material, when they might no longer be required as spoiling areas. The Director pointed out that the title remained in the Trustees, and when no longer needed the area would be released to the agency which had granted the easement. Governor Kirk then asked why it was designated "perpetual" spoil easement, and was informed that the United States considered it necessary, to insure continued use of the area for spoiling.

Mr. Adams made a motion that the Trustees approve the easements subject to drafting of the legal instruments as recommended by the Attorney General and the Board of Conservation after careful scrutiny. The motion was seconded by Mr. Christian and without objection, adopted.

SANTA ROSA COUNTY - Oil and Gas Drilling Lease. On July 9, 1968, bid was opened at the Trustees' meeting for a ten-year oil and gas lease of 47,932 acres of submerged water bottoms in East Bay, Blackwater Bay and that portion of Escambia Bay in Santa Rosa County. The only bid received was from J. Melvin Young, Arden A. Anderson and Philip D. Beall, all of Pensacola, offering for a lease under the terms and conditions as advertised a cash consideration of $9,836.50, consisting of the first year's rental in the amount of $9,586.40 and a bonus of $250.10. The Board deferred action pending review and recommendation by the Staff.

Although the bonus bid might be considered low, the lessee under the proposed lease was required to commence drilling a test well within one year in liew of the two and one-half years required by law. Therefore, Staff recommended award of the lease.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees accepted the bid and awarded the lease, under the terms and conditions as advertised, to J. Melvin Young, Arden A. Anderson and Philip D. Beall.

TRUSTEES FUNDS - East Central Florida Regional Planning Council in meeting on June 12, 1968, in New Smyrna Beach, Florida, authorized its Chairman, Honorable Lee R. Maxwell, to make application to the Trustees of the Internal Improvement Fund for a short-term loan in the amount of $18,000.00 to enable the Council to meet its financial commitments for the current fiscal year and the early part of the new fiscal year. The Planning Council was composed of representatives of seven contiguous counties in the N A S A area, consisting of Brevard, Indian River, Lake, Orange, Osceola, Seminole and Volusia Counties.

In justification of the loan, the Council submitted information that one of the major studies now in progress was for the Housing and Urban Development Department (HUD) which was scheduled for completion by the end of this fiscal year, but that the federal government withholds 10% of the amount of the project pending final audit, which in this project constitutes retainage in excess of $21,000.00.

The Trustees had approved loans to the Council on two separate occasions within the past few years, one for $20,500.00 on March 25, 1965, and a second loan entered into on August 25, 1967, in the amount of $25,000.00. Both loans were repaid with interest prior to maturity date, and in recognition of the important contributions that have been made to the planning efforts of this Council in the fast-growing area, Staff recommended approval of the request, the loan agreement to be entered into to be approved by the office of the Attorney General, with interest at 5% per annum, to be repaid on or before April 1, 1969.

Mr. William T. Wallis of Kissimmee and Mr. Gordon Wagner of Titusville, a Director of the Council, were present at the meeting on this date.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the loan be approved as recommended by the Staff, and the Secretary of State commended the Council on its past performance in repaying loans in advance of the due dates.

TRUSTEES FUNDS - The Stephen Foster Memorial Commission by resolution of June 24, 1968, stated that there was an ever-increasing danger that the property contiguous to the South Gate of the Memorial in Hamilton County near White Springs, Florida, located along U. S. Highway 41, will be used for purposes detrimental to the best interests of the Memorial, and the Commission further concluded that purchase of certain parcels of privately-owned property was necessary to provide the adequate protection to the state-owned land located within the Memorial - but that they had no funds with which to make the purchase.

The Commission secured options from the private owners for purchase of the parcels for the total price of $190,000.00 and desired to exercise the options to make the purchases. The Trustees were requested to make a loan in the amount of $95,000.00 with interest at 4-3/4% to be repaid by annual payments together with interest during the next 10 years. It was

anticipated that the Commission would secure the additional $95,000 needed for this acquisition as a federal grant to be processed through the Outdoor Recreational Development Council.

Staff had reviewed the request, and in recognition of the urgency expressed by the resolution of the Commission and the demonstrated need to acquire the privately-owned property to protect the state-owned Stephen Foster Memorial, recommended that the loan be granted conditioned upon the Commission receiving the $95,000.00 grant of federal funds to enable completion of the acquisition.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted without objection, that $95,000.00 be made available from Trustees funds as a loan to be repaid by annual payments with interest at 4-3/4% within ten years, provided that the Commission received a like amount as a grant from the federal government to enable the Commission to complete the acquisition of the certain parcels proposed to be purchased.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
July 23, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on July 16, 1968.

Secretary of State Tom Adams brought up the discussion which took place last week regarding several areas of considerable acreage in the St. Johns River in Duval County requested by the Jacksonville Port Authority, local sponsor, on behalf of the United States to be used in connection with the Corps of

Engineers work on the Jacksonville Harbor Deepening Project. Mr. Adams said there were questions with reference to the legal document to make certain that the lands are not bound in perpetuity but title would remain in the Trustees, and he was concerned about granting such large areas. He asked that issuance of the instruments be held in abeyance pending a meeting of the liaison staff members.

The Director said that a great amount of spoil material was involved in the harbor improvement project. He advised that in the past an attempt was made to change the type of easement, but that the U. S. Corps of Engineers required a perpetual easement. The Staff would be glad to discuss the matter with the Corps.

Without objection, the Trustees concurred with Mr. Adams' request that issuance of the instruments approved last week for providing spoil areas be held in abeyance for further examination of the method of entering into such commitments.

MONROE COUNTY - File 2048-44-253.12. Presented for consideration of confirmation of sale was an application presented on several agendas prior to the moratorium, which the Trustees deferred on April 30, 1968, for securing a current appraisal. Darryl F. Sheley, Trustee, applied to purchase 9.65 acres of submerged land in the Atlantic Ocean in Section 33, Township 61 South, Range 39 East, Key Largo in Monroe County, at the new appraised value of $414.51 per acre.

The file contained Monroe County Resolution No. 18-1968 dated February 29, 1968, requesting approval of the sale which would provide a protective breakwater, a landing strip, and would aid Monroe County Anti-Mosquito District. Also there were letters on behalf of the applicant from several local and civic groups and from the Secretary of the Advisory Council of Pennekamp State Park.

The biological report, considered previously, was adverse, showing that grasses covered approximately 50% of the submerged bottoms between the existing mean high water line and the proposed off-shore purchase limit, that the remainder was covered by attached algae.

Mr. Adams said that the application, postponed prior to the moratorium for a new appraisal, was back on the agenda as the Staff was instructed. He pointed out that the old appraisal was $300.00 per acre.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that sale of the advertised parcel be confirmed at $414.51 per acre to the abutting upland owner.

MONROE COUNTY - File 2079-44-253.12. On March 19 and May 14, 1968, the Trustees considered application from Ismael Fuentes and wife to purchase a parcel of submerged land in the Straits of Florida in Section 8, Township 63 South, Range 38 East, Plantation Key, Monroe County, for construction of a rock jetty and a small boat basin. Action was deferred for securing a current appraisal, which was reported as $789.47 per acre.

The biological report considered previously was not adverse, there were no objections to the sale, and Staff recommended

confirmation of sale of the 0.76 acre parcel.

Mr. Adams said that the application, postponed prior to the moratorium for a new appraisal, was placed back on the agenda as the Trustees had instructed. He pointed out that the old appraisal was $300.00 per acre.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that sale of the advertised parcel be confirmed at $789.47 per acre to the abutting upland owners.

MONROE COUNTY - File 2111-44-253.12. On April 30, 1968, the Trustees requested a current appraisal before authorizing advertisement of a parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, Monroe County, containing 0.72 acre, more or less. J. Morgan Jones Publications, Inc., applied to purchase the parcel abutting its ownership. The current appraisal reported a value of $833.33 per acre.

The biological report dated October 19, 1967, from the Board of Conservation, was not adverse. Staff recommended advertisement for objections only.

Mr. Adams said that the application, postponed prior to the moratorium for a new appraisal, was placed back on the agenda as the Trustees had instructed. He pointed out that the old appraisal was $425.00 per acre.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

COLLIER COUNTY - Dedication, Section 253.03. The State Road Department made application for dedication of right of way across Marco Pass in Sections 4 and 9, Township 52 South, Range 26 East, in Collier County, for construction of State Road S-951-B, Section 03508-2601. As part of this right of way would be filled for causeway approaches to a bridge, the required bulkhead lines were established and approved by the Trustees in meeting July 16, 1968.

Biological report dated June 29, 1968, from the Board of Conservation to the County Engineer of Collier County, copy to the office of the Trustees, disclosed that no adverse effects to marine resources would result from the proposed work.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that dedication to the State Road Department be approved.

DUVAL COUNTY - Dedication, Perpetual Right of Way Navigation Channel Easements, Section 253.03.

Attorney F. Bradley Kennelly, for the Jacksonville Port Authority, acting on behalf of the United States of America, requested issuance of a perpetual right of way navigation channel easement in the St. Johns River from the entrance to the easterly end of Blount Island, and from the westerly end of Blount Island to a point approximately one mile north of the Matthews Bridge. The

Director said this was for the entire river channel, for which a dedication had not been issued.

Motion was made by Mr. Dickinson, adopted without objections, that the Trustees grant the request for dedication of perpetual right of way navigation channel easements.

VOLUSIA COUNTY - File No. 2137-64-253.12(6). Melvin Orfinger, on behalf of Peter J. Gonzalez and wife, made application for conveyance under the provisions of Section 253.12(6) Florida Statutes, of a parcel of sovereignty land in the Halifax River in Section 23, Township 14 South, Range 32 East, filled subsequent to May 29, 1951, and prior to June 11, 1957, containing 1.2 acres in Volusia County. Applicant offered the appraised value of the submerged land as it existed prior to filling, $200.00 per acre or $240.00 for the parcel.

Motion was made by Mr. Christian, and adopted without objection, that the instrument be issued pursuant to statutory requirements.

GLADES COUNTY - Lykes Bros., Inc., holder of Grazing Lease No. 2130 expiring on August 25, 1968, covering Lots 1, 2 and 3 in Section 34, Township 40 South, Range 32 East, Glades County, requested extension of the lease of 148.0 acres for an additional year on the same terms and conditions. The lease, for grazing purposes only, has an annual rental of $3.00 per acre and contains a provision allowing cancellation by the Trustees after 90-day written notice.

The applicant also held a similar lease (No. 2160) covering Lot 4 contiguous to the above Lot 3, which expires on January 20, 1969. Staff recommended that Lease No. 2130 be extended to January 20, 1969, on the same terms and conditions, at which time consideration might be given to combining the two grazing leases and further extension.

Without reference to this particular lease, Mr. Adams said the Board had become aware of the provisions of the federal program whereby certain lands not used might earn payments, and he suggested that there be placed in all leases a requirement that the land leased for agricultural purposes be used for that and for no other purpose. Mr. Conner advised that there was no federal program on grazing lands, which was the type involved in this and the following application.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved extension of Lease No. 2130 on the same terms and conditions to January 20, 1969, as recommended.

HIGHLANDS COUNTY - Lykes Bros., Inc., holder of Grazing Lease No. 2122-B which expired on July 28, 1968, covering 640 acres in Section 16, Township 36 South, Range 32 East, Highlands County, requested renewal for three (3) years on the same terms and conditions. The lease was for grazing only, with annual rental of $1.00 per acre and a clause allowing cancellation by the Trustees after 90-day written notice.

Mr. Christian was advised that the land had formerly been school land, and that the state school fund received the usual 25% of

the revenue. The land in this grazing lease was described as much less desirable than that leased at $3.00 per year in the above application.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved renewal of Lease No. 2122-B for three years on the same terms and conditions.

DADE COUNTY - Watson Island. The City of Miami, owner of Watson Island by Legislative Act of 1919 and Trustees Deed No. 19447, adopted Resolution No. 39647 on April 25, 1968, requesting approval of the Trustees for the city to enter into a concession agreement for 5 years with right to renew for an additional 2 years, with Phillips Petroleum Company for the purpose of providing a marine refueling station on Watson Island in Miami, Dade County. The present refueling station at Bayfront would be discontinued when construction of the city's new Miamarina was commenced.

Provisions in the Trustees' deed restrict use of the island to public purposes only, and for this reason the city sought the concurrence and approval of the Trustees that a boat refueling facility on Watson Island would serve a public and municipal purpose and would not constitute a violation of the conditions in the deed. The Attorney General reviewed the request and found it not in violation with the public purpose clause in the Trustees' deed.

Staff recommended concurrence and approval of the proposed agreement of the City of Miami with Phillips Petroleum Company.

On motion by Mr. Faircloth, seconded by Mr. Williams, adopted unanimously, the Trustees approved the request of the City of Miami as not being in violation of the public purpose restriction.

LEVY COUNTY - Central Florida Electric Cooperative, Inc., requested an easement across a parcel of land containing 0.36 acre in use by the Florida Board of Forestry in Section 29, Township 14 South, Range 14 East, Levy County, for construction and maintenance of a 69 KV transmission line from Otter Creek to Cedar Key. The applicant offered $45.00 (at $125.00 per acre) for the easement.

The Florida Board of Forestry approved issuance of the easement.

On motion by Mr. Faircloth, seconded by Mr. Christian and Mr. Williams, adopted unanimously, the Trustees authorized issuance of the easement for transmission line.

PALM BEACH COUNTY - File No. 266-50-253.124, Fill Permit. Edelphi Builders, Inc., requested approval of fill permit authorized by the City Commission of the City of West Palm Beach in regular meeting May 27, 1968, under the provisions of Section 253.124 Florida Statutes, to fill a portion of the 1.558 acre parcel of submerged land in Sections 3 and 4, Township 43 South, Range 43 East, City of West Palm Beach, lying landward of the established bulkhead line, which was previously conveyed by the Trustees to D. C. Lainhart and wife, predecessor in title, under the referenced file number. All material to be used in filling the parcel would be hauled in, not dredged.

The application was placed on the agenda at the request of Honorable Fred O. Dickinson, Jr., Comptroller of the State of Florida, who stated that the applicant met and fulfilled all local requirements in connection with the project.

The Board of Conservation biological study of marine life for the northerly portion of Lake Worth made in 1961, reprinted in 1963, reported that the submerged bottoms were extensively silted on both sides of the Intracoastal Waterway, and that sea grass and nursery grounds appeared to be lacking in the area. A May 1963 report made when changes in the bulkhead line were being considered showed that the area within the line did not contain valuable sea grasses.

The Interagency Committee reviewed the application but did not feel justified in taking any action looking toward approval due to the fact that it was their feeling that the Palm Beach County Area Planning Board had not expressed its views concerning the matter.

Mr. Adams raised several questions regarding the bulkhead line, the need to proceed carefully in the light of the moratorium and the request to honor the position of the Area Planning Board. The Director said he had talked to the Director of that Board, Mr. Donald O. Morgan, and Mr. Dickinson said they did not object as there was to be no dredging.

Motion was made by Mr. Dickinson, adopted without objection, that the Trustees approve the fill permit to Edelphi Builders, Inc.

MONROE COUNTY - Joseph D. Reeves applied for permit to construct a boat basin and rock breakwater in Florida Bay in Section 10, Township 66 South, Range 32 East, Monroe County, wholly on submerged land owned by the applicant.

The Florida Board of Conservation reported the submerged lands were rocky and only sparsely vegetated by attached algae, and the project should have no significant adverse effects on marine life of the area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved the dredge permit.

MONROE COUNTY - Ray A. Filske applied for permit to repair and replace two stone breakwaters which protected his existing boat basin. The original breakwater was destroyed by Hurricane Betsy in 1965 and Hurricane Inez in 1966. The construction would be wholly within the parcel of submerged land owned by the applicant in Florida Bay in Sections 15 and 16, Township 64 South, Range 36 East, on Lower Matecumbe Key, Monroe County.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of dredge permit for the work as described.

BAY COUNTY - The Town of Mexico Beach, represented by Mayor C. M. Parker, applied for permit to construct a pier in the Gulf of Mexico from the town's upland ownership in Mexico Beach Unit No. 5 Subdivision as recorded in Plat Book 7, Page 61, Public Records of Bay County, Florida. The pier would be a joint venture with the town, Bay County and the Outdoor Recreational Planning

Committee of the State of Florida, and Staff requested waiver of the $100.00 processing fee.

The Director said the Staff had been advised that there was a solid fill placed without authority, which should be removed as it could create erosion problems. He suggested approval of the dock permit subject to removal of the solid fill as recommended by the Division of Beaches and Shores of the Board of Conservation.

Motion was made by Mr. Christian, seconded by Mr. Williams and approved unanimously, that issuance of the dock permit, without charge, be conditioned upon compliance with the request for removal of the unauthorized fill now in place along the shoreline out into the Gulf.

LAFAYETTE COUNTY - Florida Game and Fresh Water Fish Commission applied for permit to construct a boat ramp in the Suwannee River in Section 17, Township 3 South, Range 11 East, Lafayette County, to provide public access for fishing and other allied uses.

On motion by Mr. Conner, adopted unanimously, the Trustees authorized issuance of permit requested by the Florida Game and Fresh Water Fish Commission.

TRUSTEES' POLICY - After-the-Fact Permits. On June 4, 1968, when two after-the-fact dredge permit applications involving fresh water lakes were considered, the Trustees ordered them held in abeyance until some policy regarding the imposition of a penalty might be considered.

The matter was referred to the office of the Attorney General for review, and by letter dated July 12, 1968, Staff was advised that it would be proper for the Trustees to amend their Rule No. 200-3.06 to impose a penalty on such illegal fills and suggested a minimum of 10¢ per cubic yard and a minimum total fee of $50.00, in lieu of 5¢ per cubic yard and $25.00 minimum which was the regular charge. Staff requested approval of the suggested penalty charge and authority for amending the rule.

On motion by Mr. Williams, adopted unanimously, the Trustees approved the penalty of increased charges suggested by the office of the Attorney General for after-the-fact dredge permits involving fresh water lakes, and authorized amending Rule No. 200-3.06.

QUARTERLY REPORT - The Trustees received the Quarterly Report of operations of the office of the Trustees of the Internal Improvement Fund for the quarter ending June 30, 1968, submitted by the Director in response to requirements of Rule 13 of the Rules and Regulations of the Florida Cabinet.

BROWARD COUNTY - Information had been received by the Staff which indicated that certain owners of upland property abutting Middle River in the City of Fort Lauderdale, Florida, were asserting title to a portion of submerged bottoms adjacent to their upland ownership, riverward of the line of mean high water. The matter was discussed and communications exchanged between the Staff and local officials of the City of Fort Lauderdale.

The Staff felt that certain legal issues had been raised, and recommended that the Trustees authorize the Attorney General to review all questions involved and take whatever action he deemed necessary, including litigation, to properly protect the interest of the State.

Mr. Robert C. Scott, attorney representing the owner of Lot 7 Livermore Estates, Harold R. Conti, said his client had obtained a permit from the City of Fort Lauderdale to build a high-rise building, fill and seawall out to his platted lot line, that a suit was brought to enjoin the filling and seawalling on what was called sovereign waters. However, he contended that his client was not intruding on sovereign bottom lands, that as a result of the suit and communication from Mr. John N. Tolar to the Director and from the Director to the city, his client's permit had been temporarily suspended and he was urgently in need of relief.

As Chairman, Mr. Adams expressed appreciation to Mr. Scott for appearing before the Board. He said that the Staff was to be commended for bringing the matter to their attention, and that whether it was encroachment and trespass on sovereign lands over which they were Trustees for the people of Florida was a serious question for legal determination and should be referred to the Attorney General for his attention as soon as possible.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the recommendation of the Staff be approved as the action of the Board.

TRUSTEES FUNDS - Capitol Center Property Acquisition. Executive Office Building, Inc., was the owner of the E½ of Lot 8 Sub. of N½ of NE¼ of Section 1, Township 1 South, Range 1 West, less North 10 feet thereof, also, E½ of Lot 322 Old Plan City of Tallahassee together with a 10-foot strip adjacent thereto on South, in the City of Tallahassee, Leon County, Florida. The property fronted on South Bronough Street a distance of 302 feet, the North portion of which was vacant and the South portion had an office building located thereon.

The Staff of the Capitol Center Planning Committee had negotiated with the owners for acquisition of the property for some time and at the request of the Chairman of the Capitol Center Planning Committee, Honorable Tom Adams, the item was placed on the agenda for consideration by the Trustees.

Staff reviewed the matter and recommended purchase at the appraised price as set by the Staff Appraiser; or in the event the owners did not agree to sell for the appraised price, that negotiations continue and if agreement on a purchase price was reached, that the amount be resubmitted to the Trustees for consideration.

Mr. Dickinson said that as chairman of the cabinet committee on office space, he commended the Capitol Center Planning Committee for the work done toward securing this property at the appraised price, that more office space was very much needed, and he mentioned other locations being made ready for occupancy by state agencies.

Mr. Adams said it was an opportunity to purchase at the appraised price an office building now occupied by a number of state agencies; and he suggested that their budgets provided for rent payments, which the Trustees could review, in the event of purchase of the building.

Mr. Broward Williams, State Treasurer, said that upon occupancy of the Larson Building it was evident that there was insufficient space for all his department. He suggested that negotiations be reopened with respect to the Dorian Building in the Capitol Center.

On motion by Mr. Dickinson, adopted without objection, the Trustees approved the recommendations with respect to acquisition of the Executive Office Building, Inc., property.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
July 30, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on July 23, 1968.

MONROE COUNTY - Dredge Permit, Section 253.123. Application was made by Bailey, Mooney, Post Associates, Inc., on behalf of Monroe County, for permit to extend the dredge area limits previously granted by the Trustees in meeting January 16, 1968. Easement No. 24727 was granted for the purpose of relocating and realigning the existing Intracoastal Waterway channel in connection with the reconstruction of the Old Card Sound road and bridge system connecting the mainland with Key Largo.

The extended dredge area would connect the proposed channel to the existing channel in Section 19, Township 59 South, Range 40 East, Monroe County. Material removed would be deposited on the upland and used in road reconstruction. Staff requested waiver of the biological or ecological survey as provided in Section 253.123(3)(a), for the reason that the project would serve the public needs.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that biological survey be waived and the dredge permit requested by Monroe County be approved.

MONROE COUNTY - Dredge Permit, Section 253.123. Darryl F. Sheley, Trustee, applied for a permit to construct a rock breakwater from material to be dredged from the borrow canal which would also serve as navigational access to development project under construction. The breakwater also would serve as a landing strip for small aircraft. All construction would be within the 9.65 acre tract of submerged land in the Atlantic Ocean in Section 33, Township 61 South, Range 39 East, Key Largo, Monroe County, the sale of which was confirmed last week, July 23, under File No. 2048-44-253.12.

The biological report, considered previously, was adverse, showing that grass covered approximately 50% of the submerged bottoms between the existing mean high water line and the limit of offshore purchase and the remainder was covered with attached algae.

Motion was made by Mr. Adams, seconded by Mr. Christian and Mr. Faircloth, that the Trustees approve dredge permit requested by the applicant to whom submerged land was sold last week. Without objection, motion was adopted.

PINELLAS COUNTY - Dredge Permit, Section 253.123. Application was made by Gardner B. Collins, P. E., on behalf of Pinellas County Water System, for permit to install a 12-inch subaqueous water main in and across Dent's Channel in Sections 19 and 20, Township 32 South, Range 16 East, Pinellas County.

Staff requested waiver of the requirement of a biological or ecological study as provided in Section 253.123(3)(a) Florida Statutes, for this public project.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approved the dredge permit requested by Pinellas County.

SARASOTA COUNTY - Temporary Spoil Area S-27. On May 14, 1968, the Trustees, at the request of the West Coast Inland Navigation District on behalf of the United States, approved issuance of temporary permit authorizing spoiling along the shorelines of the Gulf beach opposite certain upland properties in Section 4, Township 38 South, Range 18 East, Sarasota County. The letter-type permit covered a six months' period from May 24, 1968. Due to certain delays in awarding a contract, the West Coast Inland Navigation District requested that the permit be extended to April 1, 1969.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees granted the request for extension of temporary spoil easement to April 1, 1969.

MARION COUNTY - Florida Game and Fresh Water Fish Commission applied for permit to construct a public boat ramp and place about 300 cubic yards of fill material on state-owned lake bottom land in Lake Weir in Section 9, Township 17 South, Range 24 East,

Marion County. A railroad ran parallel to and 30 feet landward of the shoreline at the site, and in order to provide a safe turn-around and launching area, it was necessary to place hauled-in fill material over an area of lake bottom land 20 feet wide and 140 feet long. The Commission reported that the area had a white sand bottom with little aquatic vegetation.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that permit requested by the Game and Fresh Water Fish Commission be approved.

OKEECHOBEE COUNTY - Florida Game and Fresh Water Fish Commission applied for permit to construct a public boat ramp on the lakeside berm of the Lake Okeechobee Levee LD-4 and to construct a 200-foot long spur channel in Lake Okeechobee in Section 4, Township 38 South, Range 35 East, Okeechobee County.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the Trustees approve permit for the boat ramp requested by the Game and Fresh Water Fish Commission.

PALM BEACH COUNTY - Myron Rapaport, President, on behalf of Mystan Marine, Inc., of Jupiter, Florida, applied for a permit for a floating dock in the Loxahatchee River in Section 31, Township 40 South, Range 43 East, Palm Beach County, for which all required exhibits and $100.00 processing fee were submitted to the Trustees' office.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of the state commercial dock permit.

PALM BEACH COUNTY - Lease. On May 7, 1968, the Trustees authorized advertisement of an agricultural lease of land approximately 20 miles southeast of Lake Okeechobee, described as

> All of the South 50 chains of Section 11; all of the South 62.125 chains of Section 12; all of Sections 13, 14, 15, 22, 23, 26, 27 and 34; lying 350 feet westerly, as measured at right angles, from the westerly right of way line of Central and Southern Florida Flood Control Levee L-7, in Township 44 South, Range 39 East, Palm Beach County, Florida, containing 3,742 acres, more or less.

Notice calling for bids to be opened and received on this date was published in the Belle Glade Herald for four consecutive weeks, for a 20-year agricultural lease based on a minimum average annual rental of $13.99 per acre and requirement that lessee guarantee permanent improvements to the leased land, consisting of drainage canals, ditches, dikes, bridges, clearing and roads, in the amount of $100.00 per acre within the first five years of the lease. The Trustees reserved the right to reject any and all bids received pursuant to the published notice.

Withdrawn from the 4,179.01 acres considered for leasing was a 350-foot wide strip adjacent to the westerly right of way line of Levee L-7 which Central and Southern Florida Flood Control District requested be withheld as the district was in the process of requesting a flowage or surface easement on this strip in connection with Levee L-7 and Conservation Area No. 1. Deduction of the 350-foot strip left the advertised area of 3,742 acres

available for leasing.

It was on the application of S. N. Knight & Sons, Inc., that the Trustees on May 7, 1968, authorized advertisement. On this date the only bid received when Staff Member James T. Williams called for bids was from S. N. Knight & Sons, Inc., offering an average of $13.99 per acre annually as shown in the May 7th minutes and set out in the advertised notice as minimum starting bid.

On motion by Mr. Christian, seconded by Mr. Conner and adopted unanimously, the Trustees accepted the bid for 20-year agricultural lease from S. N. Knight & Sons, Inc., of Belle Glade, Florida.

Mr. Adams reminded those present that the Trustees had previously discussed the insertion in such leases of language requiring the land to be used for agricultural purposes only. The Director said this was the first agricultural lease to come before the Board since the Secretary of State suggested the provision, and that the Staff would work with the office of the Attorney General to prepare such a provision to be made a standard part of all agricultural leases, including the one approved on this date.

PALM BEACH COUNTY - Lease. Florida Game and Fresh Water Fish Commission applied for a lease of Lots 8, 9 and 10 of Section 10, Township 41 South, Range 39 East, Palm Beach County, containing 121.87 acres, for the purpose of enlarging the J. W. Corbett Wildlife Management Area and better controlling and supervising the hunting and fishing in this public hunting and recreation area which joined the subject land on the east.

Staff recommended lease for an indefinite period with the Trustees reserving the right to terminate lease at any time following adequate notice, in the event the land is needed for other state purposes, and further reserving the right to grant other leases of the area for purposes not inconsistent with the wildlife management program.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that lease of the 121.87 acres be granted to the Game and Fresh Water Fish Commission on the terms as recommended by the Staff.

PALM BEACH COUNTY - Lease. Florida Game and Fresh Water Fish Commission desired to enlarge the Everglades Wildlife Management Area located in Conservation Areas 2 and 3 in Broward and Dade Counties by inclusion of a large tract of uncommitted land owned by the Trustees containing approximately 30,320 acres described as follows:

> All of Township 47 South, Range 36 East;
> S½ and S½ of N½ of Section 16, All of Sections 17 through 21 of Township 47 South, Range 37 East;
> All of Sections 1 through 5 and all of Section 6 lying east of Miami Canal in Township 48 South, Range 36 East, Palm Beach County.

The Game Commission would be in a better position to supervise and control the hunting and fishing for the benefit of the public by addition of the tract of land. Staff recommended lease for an indefinite period with the Trustees reserving the right to

terminate lease at any time following adequate notice as to any or all of the area needed for other state purposes, and reserving the right to grant other leases in the area for purposes not inconsistent with the wildlife management program.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that lease of the 30,320 acres be granted to the Game and Fresh Water Fish Commission on the recommended terms.

VOLUSIA COUNTY - Florida Power Corporation applied for an easement across the west 10 feet of Lot 50 of River Ridge Subdivision for the purpose of furnishing electrical power to Hontoon Island State Park. Lot 50, on upland directly across the St. Johns River from state-owned Hontoon Island, was purchased in January 1968 to provide suitable access to the island park. The power line would be placed underground and has been approved by the Florida Board of Parks as needed for development and operation of the area.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of the easement to Florida Power Corporation without charge, for the purpose of serving the state park.

DUVAL COUNTY - Dedication of perpetual spoil easements requested by the Jacksonville Port Authority on behalf of the United States in connection with the Harbor Deepening Project, tentatively was approved by the Trustees on July 16, 1968, and on July 23 ordered held in abeyance, at the request of Mr. Adams, as to issuance of instruments. By memorandum of July 25, Mr. Adams advised the Staff that his questions had been cleared up and the executed easements might be forwarded to the Corps of Engineers in Jacksonville.

Mr. Adams said that the Corps cooperates with the State of Florida and such easement areas reverted to the state were released by the Corps when no longer required for spoiling purposes.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized the completion of processing of the instruments.

DADE COUNTY - The Trustees ordered removed from the agenda an agreement, discussed in the meeting of the Commissioners of State Institutions on this date, with respect to land offered by Dade County for construction of a State Mental Health Facility.

TECHNICAL ADVISORY COMMITTEE TO STUDY COST OF FILL MATERIAL -

On July 9, 1968, the Trustees approved the appointment of a professional advisory committee for the purpose of studying all aspects of the value of fill material to be charged by the Trustees. No authority was given for payment of travel and per diem expense incurred by the members of the committee in the discharge of their official responsibilities. Therefore, to eliminate any uncertainty with respect to this fiscal matter, the Staff recommended that consideration be given to reimbursement out of Trustees' funds to committee members for travel and per

diem expense and any other incidental expenses deemed essential to the work of the committee in the performance of their official duties.

Motion was made by Mr. Adams, seconded by Mr. Christian, that the recommendation be approved as the action of the Trustees in this fiscal matter.

TRUSTEES FUNDS - Elliot Building. On May 21, 1968, the Trustees awarded a contract totaling $2,370.00 to Richard E. Kausch for painting and repairs to the Trustees' building, specifications of which included refinishing four sets of old steel shelves. Upon finding that a satisfactory job could not be accomplished according to the specifications with respect to the shelves, Mr. Kausch at the extra expense of $200.00 completed the work on the shelves.

The Construction Division, Board of Commissioners of State Institutions, reviewed the specifications, examined the work on the shelves, and stated that the figure of $200.00 was fair compensation for the extra labor and materials involved. Staff recommended that the contract be increased by that amount, with payment from budgeted funds.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that the contract be increased by $200.00 to cover the extra expense incurred in completing the work properly.

TRUSTEES FUNDS - Attorney General Earl Faircloth, by communication dated July 29, 1968, to the Staff, indicated a need for the establishment of two new positions in his office, and two secretaries, for the remaining eleven months of the current fiscal year. The letter showed the total amount required for salaries for the eleven months would be $35,596.00, and matching retirement and social security amounting to $2,654.00.

Request was submitted on this date to the Planning and Budget Commission for approval of payment from Trustees' funds, and was approved.

Mr. Faircloth pointed out the volume of work in matters relating to responsibilities of the Trustees of the Internal Improvement Fund, legal work relating to submerged lands, advice and counsel being provided to the Inter-Agency Committee in reviewing bulkhead lines, and review of situations of possible violations and recommendations to protect the state's interest.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize payment from the trust fund as approved by the Planning and Budget Commission for salaries of two new positions in the office of the Attorney General, and for two secretaries, and the matching retirement and social security, as requested by the Attorney General in the above stated amounts.

MONROE COUNTY - On March 26, 1968, the Trustees referred to the Attorney General for appropriate action certain dredging operations of Mr. Bernie C. Papy, Jr., in Monroe County. Incident to that investigation, a matter involving Charlie Toppino and Sons, Inc., became involved. On April 9 the Attorney

General asked for and was given authority to seek restitution for material removed from state-owned sovereignty land. Report and recommendations were presented by Mr. Faircloth, with cover letter dated July 24, 1968, and containing facts, certain conclusions, and a proposed settlement arrangement.

Mr. Faircloth said that Mr. T. T. Turnbull, of his office, had worked long to bring the matter to a conclusion, he thought it was a good settlement which in all probability would mean recovery of about a quarter million dollars to the state, and was a better settlement than could have been secured in litigation.

Also, Mr. Faircloth said it pointed out the necessity for review of the general Monroe County exemption from laws relating to submerged lands, and review of the Randell Act for consideration of possible improvements at the next legislative session.

The conclusions and proposed settlement in the report of the Attorney General are as follows:

"CONCLUSIONS

"Based on the foregoing short statement of the ultimate facts that have previously been stated, as well as on the entire record of the Trustees, of the House Ethics Committee, and my staff investigation, I have come to these conclusions:

(1) There is no basis for any criminal prosecution of any person involved in any of the dredging operations depicted;

(2) This is a matter that could best be resolved by settlement and there is attached hereto a proposed settlement that has been agreed to by both Mr. Papy and Mr. Frank Toppino, representing Charlie Toppino and Sons, Inc.;

(3) Several legal conclusions have been reached. These conclusions are not stated at this time because with a settlement in progress, it appears unwise to discuss such legal conclusions, since the settlement may not be accepted or acceptable to the Trustees, and thereupon court action may be required. It does not appear strategically advantageous to inform possible adversaries in a possible lawsuit of the strength or weakness of our position.

"PROPOSED SETTLEMENT

"In view of the foregoing and as a result thereof, the following proposal for settlement of all problems existing, not only with the dredge of state lands by Mr. Papy, but also the over-fill of Summerland Key by Mr. Toppino, is suggested:

(1) That the seaward line of the property of Mr. Papy be marked, at Mr. Papy's expense, by surveyors approved by the Trustees and the firm of Bailey, Mooney, Post Associates, Inc., is considered an acceptable firm;

(2) That all materials previously dredged from the bottoms and now lying seaward of Mr. Papy's property shall be removed by Mr. Toppino down to bay bottom. Mr. Toppino shall use good engineering practices and shall, upon removal

of the materials, pay to the Trustees, under such conditions as they shall impose, for all such material removed at the rate of 11¢ per cubic yard. Upon removal and in payment or arrangement for payment, Mr. Toppino may use the material at any place or for any purpose which he desires;

(3) That Mr. Toppino shall remove all materials landward of the Papy property line under the same terms and conditions for payment as specified in paragraph 2 above, that is, at the rate of 11¢ per cubic yard. However, if there should be an excess of one million yards landward of the property line, the excess over and above one million yards may be removed by Mr. Toppino without further payment to the Trustees and he may use the same in any manner designated by the Corps of Engineers' permit;

(4) For the purpose of this agreement, Mr. Papy shall release to Mr. Toppino his claim, if any, to all fill materials that have or will be removed by Mr. Toppino pursuant to this agreement;

(5) In the event a Corps of Engineers' permit for the removal of the materials is required, this shall be obtained either by Mr. Papy or Mr. Toppino;

(6) Mr. Toppino shall be given a period of one year from the date of this agreement or the Corps of Engineers' permit if any is required, to accomplish the removal of the materials;

(7) The 26.6 acres of over-fill at Summerland Key by Summerland Key Cove, Inc., will be deeded by the Trustees to Summerland Key Cove, Inc., or its designee, upon payment of the sum of $425 per acre for the over-fill or an amount equal to a valid current appraisal, whichever shall be the higher. If the staff of the Trustees shall require additional surveys to determine the exact area involved, such a survey shall be furnished at the expense of Mr. Toppino.

(8) This settlement agreement shall relate only to the two matters specifically involved and shall not preclude Mr. Papy or Mr. Toppino from any other or further applications to the Trustees for permits or other documents as the Trustees, by statute, are authorized to issue."

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the recommendations from the Attorney General concerning this matter be approved as submitted.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved Report No. 936 listing two regular bids for sale of land in Citrus and Holmes County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

OKALOOSA COUNTY - Florida Gas Transmission Company, Winter Park, Florida, applied for permit to construct, maintain and operate pipe lines over and across Lots 7 through 16 inclusive, Block 8, Garden City, in Okaloosa County, which were certified to the State of Florida in tax sale certificate Nos. 2931 and 2932 of 1933, and other prior certificates.

The permit would occupy 0.71 acre for which the applicant offered $281.69 per acre or a total of $200.00 for the permit.. This was the same price range previously used for similar permits in the area. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that permit be authorized to Florida Gas Transmission Company at the price offered for pipe lines on the described lots.

REFUND - Refund was requested in the amount of $10.00 to J. B. Thornhill, Jr., for the reason that the State Road Department declined to recommend release of the state road right of way reservation contained in Polk County Murphy Act Deed No. 1799.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized refund of $10.00 to the applicant.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
August 6, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on July 30, 1968.

DADE COUNTY - Dredge Permit, Section 253.123. Florida Power and Light Company of Miami, Florida, applied for a permit for installation of a submarine cable across the Intracoastal Waterway in Biscayne Bay in Sections 14 and 23, Township 52 South, Range 42 East, and a submarine cable across the Oleta River in Section 15, Township 52 South, Range 42 East, Dade County.

Staff requested waiver of biological or ecological survey as provided in Section 253.123(3)(a) Florida Statutes since the public needs would be served by the work.

Motion was made by Mr. Williams, seconded and adopted without objection, that issuance of the permit be approved.

DADE COUNTY - Dredge Permit, Section 253.123. The Florida State Road Department applied for a permit for installation of a submarine cable in the channel between Treasure Island and Normandy Isle in Biscayne Bay in Section 9, Township 52 South, Range 42 East, Dade County.

Staff requested waiver of the requirement for biological or ecological survey as provided in Section 253.123(3)(a) Florida Statutes for this work which would serve the public needs.

Motion was made by Mr. Williams, seconded and adopted without objection, that issuance of the permit be approved.

COLUMBIA COUNTY - Dedication. The State Road Department requested dedication of a 0.228 acre parcel in use by the Florida Board of Forestry, needed for right of way in connection with improvement of State Road No. 10 (Section 29010-2507) in Columbia County. The Florida Board of Forestry had no objection to the easement being granted.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the parcel be dedicated to the State Road Department for use as requested.

DIXIE, GILCHRIST, LAFAYETTE AND SUWANNEE COUNTIES - Russell Bourkard of Bonifay, Florida, requested a timber lease permitting removal of "deadhead" logs from the Suwannee River in the area between the bridges on U. S. 19 at Fannin Springs northerly to the bridge on U. S. 27 at Branford. He offered the state $5.00 per thousand feet for logs recovered and processed into lumber.

Applicant was authorized on September 5, 1967, under Lease No. 2294 to remove logs from the Suwannee River for one year, from U. S. 19 south to the mouth of the river. He reported completion of work under this lease, and wished to salvage deadheads on an additional area upstream.

The Board of Conservation and the Game and Fresh Water Fish Commission reviewed the request and had no objection.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a deadhead log recovery permit for one year on the same terms and conditions as in Lease No. 2294, covering the new area as described.

HILLSBOROUGH COUNTY - The Board of Regents requested that the Trustees enter into an agreement with the U. S. Post Office Department for the operation of a mall-type self-service postal unit on the campus of the University of South Florida, Tampa. The Board of Regents agreed to assume all responsibility with respect to the proposed facility required by the agreement.

The Attorney General reviewed the agreement and approved it as to form and legality.

Motion was made by Mr. Christian, seconded and adopted without objection, that the Trustees grant the request of the Board of Regents and enter into the agreement for the postal unit at the University of South Florida in Tampa, Hillsborough County.

MARTIN COUNTY - Michael G. Littman on behalf of Vince Nelson made request for an exchange of oil, gas and mineral interest in the SE¼ of NE¼ of Section 20, Township 40 South, Range 42 East, 40 acres, owned by Nelson, and the reserved interest held by the Trustees in the SE¼ of NE¼ of Section 22, Township 40 South, Range 42 East, 40 acres, all in Martin County, recently sold by Nelson to another party.

Mr. Nelson, in selling the SE¼ of NE¼ of Section 22, placed $10,000.00 in escrow to guarantee furnishing the oil and mineral interest held by the state. Due to the absence of statutory authority to release the reservations held by the state on acreage tracts, an equal exchange of interest in the two tracts was requested. The office of the State Geologist advised that there was no difference in value so far as the oil, gas and minerals were concerned, between the two tracts which were located two miles apart.

Staff recommended exchange of reservations for a handling fee of $10.00. The Director advised that the matter was on the agenda at the request of the Outdoor Recreational Planning Committee Staff which has a proposal pending with the Nelson Estate (Mr. Nelson is now deceased).

Mr. Adams commented that the Trustees were not divesting themselves of any title and it was an even exchange of oil and mineral interest.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the exchange of reserved interest for a handling fee of $10.00.

TRUSTEES' FUNDS - On motion by Mr. Williams, seconded and adopted unanimously, the Trustees authorized the State Board of Administration to reinvest the Trustees' funds now in short-term U. S. Treasury bills in the amount of $205,000.00 (par value) maturing on August 15, 1968, in like securities.

TRUSTEES' FUNDS - Staff requested approval of release of Trustees' funds in an amount not to exceed $3,500.00, in order to retain the services of a registered engineer to assist in providing essential information as to the quantity of rock located in the berm seaward of the Bernie C. Papy submerged land purchase contract boundary. This was in connection with the administration of the procedure approved by the Trustees on July 30, 1968, concerning the Papy fill matter in Monroe County.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the Trustees approve release of funds in an amount not to exceed $3,500.00 for the purpose stated.

On motion duly adopted, the meeting was adjourned.

8-6-68

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
August 13, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved minutes of the meeting held on August 6, 1968.

MONROE COUNTY - File No. 2068-44-253.12. On May 28, 1968, the Trustees deferred action and directed that the Staff bring back a current appraisal for a 0.31 acre parcel of land in Niles Channel in Section 36, Township 66 South, Range 28 East, Summerland Key, Monroe County, applied for by Mark Denbury and wife for use as a protected boat basin. The new appraisal reported a value of $967.74 per acre, or $300.00 for the parcel. The Director pointed out that the 1959 appraisal had been $425.00 per acre, established by the Trustees for sales in that area.

Submitted prior to the moratorium, this application was considered by the Trustees on March 19, when the Board directed a review be made in the light of the saw-tooth policy adopted on that date. A field investigation disclosed that the abutting owner of the submerged land to the south had constructed a solid filled area projecting 150 feet seaward from the shore, and that debris had accumulated along the applicant's rocky foreshore. On April 9 the Trustees authorized advertisement for objections only, and no valid objection was received.

The biological report dated March 11, 1968, considered previously, indicated that the 0.31 acre parcel was in an area approximately 50% vegetated, and that those unsold areas where the parcel was located were considered feeding and nursery grounds.

The plat was examined and Mr. Adams raised a question regarding the philosophy of selling finger-parcels, pointing out that it

could continue on down the coastline from the application parcel. The Director said that the saw-tooth policy suggested by Mr. Adams had been implemented in light of the clarification furnished to the staff, that the map showed a filled lot on only one side immediately adjacent to the parcel, and the applicant desired to construct a boat basin protected by a seawall. Mr. Conner said that a parcel between two filled lots would have conformed to the saw-tooth policy, and Mr. Faircloth agreed that was what they had in mind.

Motion was made by Mr. Williams that the sale be disapproved. Mr. Faircloth seconded the motion, which was adopted with one dissenting vote, by Mr. Christian.

MONROE COUNTY - File No. 2078-44-253.12. On May 28, 1968, the Trustees deferred action and directed that the Staff bring back a current appraisal for a 0.46 acre parcel of submerged land in Sacarma Bay in Section 29, Township 66 South, Range 28 East, at Cudjoe Key, Monroe County, applied for by Henrietta Zanglein for construction of a rock jetty and a small boat basin. The new appraisal reported a value of $543.48 per acre or $250.00 for the parcel. The 1959 appraisal established by the Trustees for sales in that area had been $300.00 per acre.

Submitted prior to the moratorium, this application was considered by the Trustees on March 19 and an on-site inspection was requested in the light of the saw-tooth policy adopted at that meeting. A field investigation disclosed that the abutting owner of submerged land to the west had constructed a solid filled area projecting 185 feet seaward from the shore, and that debris accumulated along the foreshore of the subject parcel. On April 9 the Trustees authorized advertisement for objections only, and no valid objection was received.

The biological report dated March 11, 1968, stated that the parcel sought for purchase was located within an area heavily vegetated with turtle grass, Cuban shoalweed and attached algae, and that it was considered as a nursery and feeding ground for marine life.

The plat showed a solid fill on only one adjacent side of the application parcel, and the same comments made in respect to the preceding item in these minutes applied. The Director said that the Staff felt that the situation met the saw-tooth criteria when the new appraisal was called for. Mr. Christian felt that securing a current appraisal indicated approval.

Motion was made by Mr. Williams that the sale be disapproved. Mr. Adams seconded the motion which was adopted with one dissenting vote, by Mr. Christian.

SARASOTA COUNTY - File No. 2019-58-253.12. McClain and Turbiville on behalf of Per A. O. Scheutz, et ux, made application to purchase a parcel of submerged land in Sarasota Bay in Section 24, Township 36 South, Range 17 East, Sarasota County, landward of the established bulkhead line. The value, reduced because an easement for a State Road Department drainage ditch ran across the parcel, was $18,000.00 per acre. Applicant was willing to purchase subject to the easement.

The Director explained that during the moratorium the staff did not consider it was justified in placing applications on the

agenda except by request of one of the members. Mr. Dickinson had asked for this matter to be agendaed.

The biological report dated October 24, 1966, was not adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement of the parcel of submerged land for objections only.

CHARLOTTE COUNTY - File No. 2140-08-253.03. The Board of County Commissioners of Charlotte County by Resolution No. 68-15 adopted on August 2, 1968, requested dedication of two abutting parcels of sovereignty land in Section 6, Township 41 South, Range 23 East, in the Peace River lying within the City of Punta Gorda, Charlotte County.

By virtue of Trustees' Instrument of Dedication No. 24437 dated December 14, 1966, the Trustees granted one parcel of sovereignty land containing 2.50 acres to the City of Punta Gorda for public purposes. The city found it expedient to assign their interest in the 2.50 acres to Charlotte County and has requested, by Resolution No. 367 dated December 19, 1967, that the Trustees confirm the city's action and dedicate the 2.50 acres of sovereignty land to Charlotte County.

The second parcel requested by Charlotte County, containing 2.65 acres, was not encumbered. It is to be combined with the parcel granted to the city, creating a total of 5.15 acres of sovereignty land to be used for public purposes. A bulkhead line was established and the biological report was not adverse to dredging and filling the tract.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the land be advertised for objections only.

DADE COUNTY - Dredge Permit, Section 253.123. Florida Power and Light Company, Miami, Florida, applied for permit to install a submarine cable across Dumfoundling Bay in Sections 2 and 3, Township 52 South, Range 42 East, Dade County.

Staff recommended approval and waiver of requirement of biological or ecological study as provided in Section 253.123(3) (a), since the project will serve the public need.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that issuance of the dredge permit be approved.

OKALOOSA COUNTY - Dredge Permit, Section 253.123. Wayne Patton of Fort Walton Beach, Florida, applied for permit to remove 222.2 cubic yards of material from Choctawhatchee Bay in Section 18, Township 2 South, Range 23 West, Okaloosa County. He tendered check for $25.00, minimum charge, in payment for the material which he would use to improve his upland property.

The Florida Board of Conservation by letter dated August 8, 1968, reported the project would not adversely affect marine resources in the area. The application was not complete when first submitted on March 19, 1968, and the required exhibits were now in the Trustees' office. The application was placed on the agenda

at the request of Mr. Dickinson.

Mr. Adams asked about the price of the fill material. The Director said the amount did not come up to the minimum, and that the Technical Advisory Committee on Fill Material was still working on recommendations to present to the Board.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, that the dredge permit be approved.

LAKE COUNTY - E. R. Greenhough of Astor Park, Florida, applied for a permit to construct a dock in the St. Johns River in Section 30, Township 15 South, Range 28 East, Lake County. All required exhibits including $100.00 processing fee were submitted.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, that the dock permit be issued.

PALM BEACH COUNTY - The State Road Department applied for a permit to enter that part of Lake Osborne in Section 4, Township 45 South, Range 43 East, Palm Beach County, remaining under the jurisdiction of the Trustees, in order to sample the soil in the bottoms thereof as to its suitability for use as fill material in the construction of Interstate No. 95, Section 93220-2412. Central and Southern Florida Flood Control District and the Game and Fresh Water Fish Commission had no objections to the proposed work nor to any eventual excavation.

Motion was made by Mr. Christian, seconded by Mr. Adams and Mr. Dickinson, and adopted, that the request be granted.

MARTIN COUNTY TO MONROE COUNTY - Judge Russell O. Morrow submitted a request for and on behalf of Fritz Wanzenberg for a permit to take from the submerged bottoms of the intercoastal bays, waterways and lagoons from Martin County south to the northern end of Monroe County in Florida Bay, fifty experimental samples of soil consisting of from one to two yards for each sample.

The staff had requested review and recommendation from the Board of Conservation and the Air and Water Pollution Control Commission, which due to lack of information had been unable to evaluate the request completely.

Judge Morrow explained the proposal to take samples of sediment to conduct experiments with a patented process invented by Mr. Wanzenberg for extracting copper and other metals. Depending on what degree of metals might be in the sediment, it might prove to be financially profitable for the State of Florida, he said. Not more than fifty samples would be taken from areas not limited to the Inland Waterway, he explained, and within approximately three to six months the applicant would have more data for the Trustees to consider.

After several questions and a brief discussion, motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that Trustees authorize issuance of a permit for taking samples, not to exceed fifty in number, from the areas requested by Mr. Wanzenberg to conduct the experiments.

COLLIER COUNTY - Oil and Gas Drilling Lease. Joseph G. Heyck of Tampa, Florida, requested advertisement for sealed bids for an oil and gas drilling lease of all of Section 2, Township 47 South, Range 28 East, Collier County, owned by the Trustees. He offered annual rental of $1.00 per acre, one-eighth royalty for a five-year lease, and agreed to pay all advertising costs. All wells would be drilled to a depth of 7,400 feet or to the top of the Lower Cretaceous, whichever is deeper, with at least one well to be drilled within the first two and one-half years of the lease.

On motion by Mr. Conner, seconded by Mr. Adams and adopted without objection, the Trustees authorized advertisement of the land for competitive sealed bids for a five-year oil and gas lease pursuant to law, under the conditions stated above.

SHELL LEASES - On motion duly adopted, the Trustees accepted as information the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

Lease No.	Name of Company	Amount
1788	Benton and Company	$4,742.63
2233	Bay Dredging and Company	6,598.06

BAY COUNTY - Lease. On April 22, 1968, the Trustees authorized a lease for two years to Akima International, Inc., covering eight acres of submerged land in Little Goose Bayou of Bay County adjacent to the airport, to allow use of the bayou for conducting marine biological research. The company requested that the April 22nd authorization be amended to include an additional twenty acres of submerged land adjacent to the eight acres, for the cultivation of shrimp.

The Board of Conservation reviewed the additional area and recommended approval, as the area had no biological value due to recent dredging in extending a runway of the airport.

The Panama City-Bay County Airport Authority, adjacent upland owner, also recommended approval for use of the additional land.

Staff recommended amending the original authorization to include the additional twenty acres for the same period of time, two years, and annual rental of $1.00 per acre.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the request as recommended by the Staff.

INDIAN RIVER COUNTY - Staff requested authority to issue a corrective deed to correct one call in the description in Trustees Deed No. 20533 issued to Floyd F. Koogler under date of December 15, 1953, wherein a transposition of figures was discovered by the applicant.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the corrective deed for $10.00 handling charge.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Christian and adopted without objection, the Trustees approved Report No. 937 listing County of Palm Beach Deed No. 1865-Corrective to Myrtle A. Meyer, an undivided one-half interest, and Harry S. Shepherd, as ancillary executor of the Estate of Florence M. Shepherd, deceased, an undivided one-half interest, to be issued in lieu of a deed to Harry R. Potter who was deceased on the date of the deed, September 8, 1944. The new deed was to correct the name of the grantee.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: DIRECTOR - SECRETARY

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Tallahassee, Florida
August 20, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved the minutes of the meeting of August 13, 1968.

MONROE COUNTY - File No. 2056-44-253.12. On May 28, 1968, the Trustees deferred action on confirmation of sale and directed that the Staff bring back a current appraisal for a parcel of submerged land in the Straits of Florida in Section 7, Township 63 South, Range 38 East, 0.28 acre at Plantation Key, Monroe County, applied for by Herman Z. Zinn, et ux, upland owners, for construction of a protected boat basin. The new appraisal reported a value of $275.00 for the small parcel and Staff recommended the sale.

In meeting April 9, 1968, prior to the moratorium, the Trustees

authorized advertisement for objections only. No objections to the sale were received from riparian owners of property within 1000 feet of the application parcel. The biological report was not adverse, therefore the sawtooth policy was not applicable. The Board of Conservation report dated December 27, 1967, was considered with the two previous agenda items on the application and copy was furnished to the Trustees with the agenda for this date.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that sale of the advertised parcel be confirmed in favor of the abutting upland owners, at the current appraised value of $275.00 for the 0.28 acre parcel.

VOLUSIA COUNTY - File No. 2143-64-253.12(6). Application was made by Donald Sessions on behalf of Bernard M. Beach, Sr., for conveyance under provisions of Section 253.12(6) Florida Statutes (1967) of two contiguous parcels of sovereignty land in the Halifax River abutting uplands in Sections 37, Township 15 South, Range 33 East, City of Holly Hill, Volusia County, containing a total of 0.67 acre which had been filled subsequent to May 29, 1951, and prior to June 11, 1957.

The applicant offered the appraised value of $600.00 per acre or a total of $402.00 for the two parcels, being the appraised value of the submerged land as it existed prior to filling.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the instrument required by Section 253.12(6) Florida Statutes.

DADE COUNTY - Section 253.123 Florida Statutes. Southern Bell Telephone & Telegraph Company of Jacksonville, Florida, applied for permit to install a submarine cable across Biscayne Bay in Section 40, Township 55 South, Range 41 East and Section 18, Township 55 South, Range 41 East, in the City of Miami, Florida.

Staff recommended waiver of requirement of biological or ecological study as provided in Section 253.123(3)(a), and approval of the proposed cable which would serve the public need.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the application as recommended.

MANATEE COUNTY - Section 253.123 Florida Statutes. Chairman Dan P. McClure of Manatee County Port Authority made application for modification of the permit issued on June 4, 1968, to allow inclusion of a turning basin adjacent to and offshore from the existing bulkhead line in Section 1, Township 33 South, Range 17 East, in Manatee County.

The modification was reviewed by the Florida Board of Conservation Staff which reported by letter of August 14, 1968, that it would not adversely affect marine resources in the area, and further recommended that fill area be adequately diked to prevent or minimize the dispersion of silt in the area.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved modification of the permit to Manatee County Port Authority.

POLK COUNTY - Dredge Permit, Section 253.03 Florida Statutes. John H. Wardlaw of Frostproof, Florida, applied for an after-the-fact permit for removal of 900 cubic yards of material from Lake Streety in Sections 23 and 24, Township 32 South, Range 27 East, Polk County. He had constructed a ditch 900 feet long, 12 feet wide and 9 feet deep to feed water to his citrus grove irrigation system. The material placed on either side of the ditch in Lake Streety had been removed and placed on upland.

Mr. Wardlaw tendered check in the amount of $90.00 as payment for the material removed, at the after-the-fact penalty rates. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the after-the-fact permit.

BREVARD COUNTY - File 423-05-253.124 (Fill Permit) and 253.123 (Dredge Permit). Staff recommended approval of the fill permit issued by the Engineering Department of the Board of County Commissioners of Brevard County dated June 5, 1968, to Hampton Homes Corporation under the provisions of Section 253.124 to fill the 43.08 acre tract of submerged land, including the 8.41 acres dedicated to Brevard County for road right of way in Section 25, Township 24 South, Range 36 East, lying landward of the established bulkhead line in Brevard County.

Also, authority was requested to issue a dredge permit to said applicant under the provisions of Section 253.123 to take 550,000 cubic yards of material from the approved dredge area to fill and improve both the submerged land and the upland property. The cost at 5¢ per cubic yard would total $27,500.00 and applicant requested that the Trustees accept the payment plan of one-third of the total amount upon issuance of the permit, one-third within 30 days thereafter, and one-third within 60 days thereafter.

The biological report dated November 7, 1967, showed that the proposed development would not significantly affect conservation resources of the area. The study was made for the bulkhead line which was sought to accomodate right of way for the North-South access route for Merritt Island.

The Board of County Commissioners of Brevard County, by letter from its Chairman Lee Wenner, requested this application to be considered as an exception to the moratorium.

Mr. Adams asked to see the map, commenting on the amount of submerged land to be filled in a private development. The Director said that the sale was made primarily on the basis of the roadway being involved, that the applicants were helping the county and were the connecting link that would attach the roadway to the new Sykes Creek bridge to be built by the State Road Department. Mr. Adams said a report from the Inter-Agency Committee on the critical counties would be ready very soon.

Mr. Faircloth pointed out that the rate of 10¢ per cubic yard for fill material was under consideration by the special committee.

The Director said that committee would probably report in a few weeks, but the rate of 5¢ was now in effect under approved rules.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the Trustees approve the fill permit issued by Brevard County under Section 253.124, approve the dredge permit under provisions of Section 253.123, and grant the applicant's request to make payment for the fill material one third upon issuance of permit, one-third 30 days thereafter, and one-third within 60 days thereafter, at 5¢ per cubic yard.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The Board of County Commissioners of Brevard County, by letter from Chairman Lee Wenner, applied for a permit to install a subaqueous sanitary sewer line in Sykes Creek in Section 30, Township 24 South, Range 37 East, Brevard County.

The Trustees were requested to waive requirement of biological or ecological study as provided in Section 253.123(3)(a). The work would serve the county recreation area on Kiwanis Island.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees authorize issuance of the permit to Brevard County.

PINELLAS COUNTY - Dock Permits, Section 253.03. The Pinellas County Water and Navigation Control Authority approved the following permit applications; and all required exhibits, $100.00 processing fee, were submitted by each applicant for a state dock permit:

(1) Elmer J. Krauss, to construct a dock in Bie Bayou in Section 31, Township 31 South, Range 17 East, St. Petersburg, Florida;

(2) Smart Set, Inc., by Frank Mora, to construct a dock in Boca Ciega Bay in Section 24, Township 31 South, Range 15 East, Treasure Island, Florida.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the two dock permits.

ALACHUA COUNTY - Section 253.03. The Board of Regents requested the Trustees to convey title to Lot 2 of the Fraternity Area on the University of Florida campus to Florida Chi Phi Association, Inc., for a consideration of $3,800.00, for the purpose of constructing a housing facility. The proposed deed was reviewed and approved by the Attorney General as to form and legality. Title would be held by the Association subject to certain restrictions and reservations whereby, following established policy of the University, the property would be subject to university regulations and subject to repurchase by the Trustees in the event construction of a suitable house, as approved by the Board of Regents, was not commenced within four years.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees approved the request of the Board of Regents and authorized conveyance of the subject property to Florida Chi Phi Association, Inc., subject to the restrictions and reservations set forth in the deed.

DADE COUNTY - Section 253.03. Pursuant to action of the Board of Commissioners of State Institutions on March 19, 1968, with respect to construction of a State Mental Health Facility on land provided by Dade County, the Board of County Commissioners of Dade County forwarded an agreement between the State of Florida and Dade County whereby the county agreed to convey fee title to Tract "A" of Highland Municipal Park, a subdivision in Dade County, for construction of a State Mental Health Facility subject to certain conditions. The agreement and deed were reviewed and approved by the Attorney General and considered by the Trustees without action on July 30 because of the wording "within a reasonable time" in the agreement.

The agreement was revised by Dade County, changing the wording to "within five years from the date of deed", so that if the State of Florida failed to commence construction of a mental facility within that period of time, title would revert to the county.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved the agreement as amended and accepted title to the property on behalf of the State of Florida.

LEON COUNTY - Section 253.03 - Easement. The City of Tallahassee requested an easement 100 feet wide over and across property at Sunland Hospital in Tallahassee for installation of electric transmission lines. The Division of Mental Retardation had approved granting of the easement.

The Board of Commissioners of State Institutions approved the request in regular meeting on this date.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees granted the easement requested by the City of Tallahassee.

LEON COUNTY - Section 253.03 - Easement. Leon County requested easement 30 feet wide across the Lake Jackson Indian Mound Park property for construction of a ditch to provide drainage from park property and access road. The Board of Parks reviewed the request and recommended granting the easement, which was approved by the Attorney General as to form and legality.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees granted the easement requested by Leon County for drainage of the park property and access road.

VOLUSIA COUNTY - Section 253.03 - Land Exchange. The Board of Parks requested the Trustees to consider an exchange of land in connection with the DeBary Mansion, which is located on a parcel without public road access or frontage, being separated from Sunrise Boulevard by a parcel 95 feet by 300 feet which was owned by Joseph Kesler. Mr. Kesler agreed to exchange that parcel for Lot 19, Block 3, Unit 31, of Plantation Estates, an unimproved parcel acquired by the state in purchasing the DeBary Mansion property, but separated from the mansion property by approximately 1,200 feet. The Park Board advised that Lot 19 was separated from the main use area and of little use for future development, and that acquisition of the Kesler parcel

would provide full access to the mansion and permit additional landscaping to enhance the entrance and view from Sunrise Boulevard.

Staff recommended that the Trustees authorize the exchange with the assistance of the Attorney General. The Director exhibited a map showing the parcels in the exchange proposal.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the exchange be authorized and the Attorney General was asked to assist in making the land exchange.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized the Staff to advertise for bids for printing and binding the minutes for the past biennium.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: _____
DIRECTOR - SECRETARY

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Tallahassee, Florida
September 3, 1968

The Trustees of the Internal Improvement Fund held a special meeting at 9:00 A.M. on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

The purpose of this special meeting was the presentation of Report No. 1 of the Interagency Advisory Committee on Submerged Land Management, a committee created by the Trustees on May 14, 1968, for the purpose of reviewing existing bulkhead lines in coastal counties in the state and submitting recommendations concerning submerged land management policies.

A report was also scheduled from the Mean High Water Committee, created by the Trustees in 1964 for the purpose of developing criteria that could be used in determining the line of mean high water. This committee was not in position to submit specific recommendations but made a progress report, shown later in these minutes.

The Technical Advisory Committee on Fill, members of which were appointed on July 9, 1968, made its final report, shown hereafter in these minutes.

Honorable Randolph Hodges, Chairman of the Interagency Advisory Committee, explained the membership, the many hours of meetings by the committee and subcommittees, the review of hundreds of maps in the Trustees office with special assistance of Mr. A. Rees Williams, and read the following report.

REPORT NUMBER 1

INTERAGENCY ADVISORY COMMITTEE ON SUBMERGED LAND MANAGEMENT

BULKHEAD LINE REVIEW AND RECOMMENDATIONS FOR BREVARD, DADE, MONROE, PALM BEACH, PINELLAS, LEE, MANATEE, DUVAL, AND SARASOTA COUNTIES.

INTRODUCTION:

The directors or representatives of the Florida Board of Conservation, Trustees of the Internal Improvement Fund, Game and Fresh Water Fish Commission, Florida Development Commission, Outdoor Recreational Development Council and the Office of State Planning comprise the voting membership of the Interagency Advisory Committee on Submerged Land Management. Director of the Board of Conservation is Chairman and Director of Office of State Planning is Vice-Chairman.

Staff aides to the Governor, Secretary of State, Attorney General, State Comptroller, Superintendent of Public Instruction, State Treasurer, and Commissioner of Agriculture, who comprise the Trustees of the Internal Improvement Fund, attend and participate in the meetings as non-voting members.

At its first meeting, on 27 May 1968, this Committee adopted the following objectives:

A. Review all existing bulkhead lines and identify those which are incompatible with the public interest.

B. Recommend location of comprehensive bulkhead lines for all counties and cities.

C. Recommend the optimum use for submerged lands, based on a classification of coastal areas and determination of priorities.

D. Recommend a statewide system of aquatic preserves.

E. Evaluate the authority for state submerged land management.

F. Encourage conclusion of mean high water determination.

G. Prepare a current map of bulkhead lines, coastal areas, classifications, and aquatic preserves.

This report deals with objectives A and B for Brevard, Dade, Monroe, Palm Beach, Pinellas, Lee, Manatee, Duval and Sarasota Counties.

BASIC RECOMMENDATIONS:

(1) Bulkhead lines should be located at the mean high water line except where the locations of lines farther offshore can be fully justified as being in the public interest.

(2) When a bulkhead line is recommended to be set at the line of mean high water, said line should lie landward of all submerged lands which may have been conveyed into private ownership but for which no dredge and fill permit is currently in effect; but said bulkhead line should lie bayward of those submerged lands previously conveyed into private ownership for which a dredge and fill permit is in effect, for the duration of the current permit period only. Any land in the latter case not filled during the present permit period should be excluded from the bulkhead line at the termination of said permit period.

(3) In those cases where a bulkhead line is relocated resulting in a reduction of a property owner's potentially developable land, the State of Florida should consider an appropriate compensation to the owner for this reduction.

COUNTY REVIEWS:

The nine counties covered by this report represent coastal areas where pressures of a burgeoning population and waterfront development are greatest and where natural aquatic areas remain that are valuable and productive for outdoor recreation and conservation. Dredging and filling to create waterfront real estate from shallow submerged lands have been done or proposed extensively enough in each of these nine critical counties to represent a threat to the continued use and enjoyment by the public of its sovereignty lands and open waters.

The Committee has concerned itself with comprehensive rather than piecemeal bulkhead lines. State Road Department County maps, scale 1 inch equals 1 mile, have been marked by a red line to show where the Committee recommends bulkhead lines to be relocated along the line of mean high tide and by a green line to show bulkhead line relocation recommendations as noted for description and discussion in this report.

BREVARD COUNTY

The Committee recommends that the line of departure to be used in Brevard County from which to measure and locate bulkhead lines in the Indian River should be the mean high water line above the mean sea level as established by the U. S. Coastal and Geodetic Survey rather than being one foot offshore from the vegetation line as previously designated by Brevard County. The Committee's recommendation would mean that the bulkhead line could be moved 1000 or more feet shoreward in some mangrove and marsh areas.

(Winds rather than tides most influence water levels in the Indian and Banana Rivers, shallow elongated coastal lagoons with very limited connections with the Atlantic Ocean.)

The Committee recommends that bulkhead lines be located at the line of mean high water for all federally-owned property in Brevard County as an expression of the State's desire to protect and preserve valuable and productive submerged land from filling.

Excluding primarily Titusville and Cocoa Beach, the bulkhead lines are recommended to be at the line of mean high water for the eastern and western shoreline of the Banana and Indian Rivers.

Titusville and vicinity, Cocoa Beach, and Newfound Harbor have been most affected by bulkhead line extensions offshore from the line of mean high water, submerged land sales, and dredge-fill projects and applications. The three notes below (see SRD County map) pertain to the problem areas mentioned above.

Note Number 1- The bulkhead line should begin at the northern city limits of Titusville, proceeding southeasterly to the northeast corner of conveyed submerged land (Trustees Deed #24059), thence following established bulkhead line to the southern limits of the City of Titusville, with recommendation that all fill be obtained from water depths greater than six feet mean low water, as previously recommended by the Board of Conservation.

Note Number 2- Along the easterly shore of Newfound Harbor, north of State Road 520, where bulkhead lines are established, the existing bulkhead line be recommended. Where there are no bulkhead lines, they should be set at the line of mean high water. Continuing north of State Road 520, to the unnamed offshore islands, the bulkhead line should be established as presently submitted by the county for a recreation site, after modification as recommended by the Board of Conservation. South of State Road 520, along the easterly shore of Newfound Harbor to the tip of Horti Point, including adjacent offshore islands, the bulkhead line should be established at the mean high water line.

Note Number 3- Beginning on the eastern shore of Banana River at the intersection of the shoreline with State Road 528, the bulkhead line should follow the line of mean high water south to the northern limits of the City of Cocoa Beach, thence follow the established bulkhead line south to southwestern corner of McLarty Fill, thence along the line of mean high water south to intersection of northern boundary of southern half of Section 3, T 25S, R 37E, thence due west to intersection with established offshore bulkhead line, thence northwesterly along said bulkhead line to the intersection of northern boundary of Section 4, T 25S, R 37E, thence southerly along general line of emergent island vegetation (Thousand Islands) to intersection with shoreline of filled upland, thence generally southerly along line of mean high water to intersection of northern boundary of Patrick Air Force Base. (See aerial photo)

DADE COUNTY

In Biscayne Bay north of MacArthur Causeway and Dumbfounding Bay, the bulkhead lines along the mainland and beach sides of the bay are recommended for confirmation--except for elimination of a bulkhead line around nearly 200 acres of submerged land owned by the City of Miami Beach south of Julia Tuttle Causeway where the Committee feels that a large fill and necessary dredging could cause hydrographic problems and retard efforts to improve water quality and recreational fishing in heavily developed northern Biscayne Bay. To improve fishing and eliminate visible junk, the City of Miami is placing abandoned automobile bodies in a borrow area northwesterly from Julia Tuttle Causeway.

Along the western shoreline of Biscayne Bay from MacArthur Causeway to Rickenbacker Causeway, the bulkhead line is recommended for confirmation for the developing downtown waterfrontage of Miami.

Bulkhead lines around Dodge and Fisher Islands are recommended for confirmation because this is a heavily dredged, filled and developing port area.

Except for the Dinner Key city and marina complex, it is recommended that the bulkhead line be relocated to the line of mean high water from Rickenbacker Causeway southerly to the Monroe County line. From Coral Gables southerly, this would mean that the bulkhead line would be moved shoreward as much as 600 to 700 feet in some areas.

The Committee recommends that the moratorium on submerged land sales and dredge-fill permits be continued from the northern end of Soldier Key southerly to Monroe County until final action is taken by the U.S. Congress on the proposed Biscayne National Monument and that then the bulkhead lines be considered. The Committee also recommends that the Ragged Keys be included in the boundary of the Biscayne National Monument.

The offshore bulkhead line south of Cape Florida should be eliminated since Florida now has a new state park at the southern end of Key Biscayne. Filling offshore from the park would not enhance its value.

The Committee recommends that bulkhead lines along the bayside of Virginia and Biscayne Keys be relocated to the line of mean high water.

MONROE COUNTY

The Committee recommends no further sales of submerged land in the Keys except where justified by the "Sawtooth" policy until a more detailed study is made of this unique area. Sale lines now serve as bulkhead lines in the Keys since Monroe County is still excluded from the Bulkhead Act.

Inclusion of Monroe County under the Bulkhead Act and possible royalties or reservations to the State from rock mining in submerged land sold are indicated as being in the best interest of the Trustees of the Internal Improvement Fund and the public.

PALM BEACH COUNTY

In December, 1967, the Area Planning Board of Palm Beach County wrote Governor Kirk and requested that action be deferred on any major projects affecting Lake Worth, such as the one proposed for Little Munyon Island. The Planning Board also asked that the Trustees of the Internal Improvement Fund not allow any Lake Worth developments until all background data could be reviewed and coordinated with a county-wide master plan and other projects under study.

The area planners also stated that Lake Worth had suffered much physical disruption from dredge and fill projects and discharge of sewerage and canal water laden with muck and other substances.

Recognizing that the shorelines and submerged lands around Munyon and Little Munyon Islands and vicinity represent the last significant vestiges of natural aquatic habitats and open-water recreation areas in Lake Worth, the Committee recommends that the bulkhead lines in this vicinity be relocated to the line of mean high water. Narrow, elongated parcels of submerged land sold by the Trustees of the Internal Improvement Fund would be excluded as potential fill areas by such a bulkhead line relocation in the cove area southeasterly from Munyon Island along the eastern shoreline of Lake Worth.

To encourage improvements in water quality and salt water recreation in southern Lake Worth, shoreward relocations of bulkhead lines are recommended along both sides of Lake Worth from the southerly end of the Town of Palm Beach to Boynton Beach.

It is also recommended that bulkhead lines throughout the Jupiter-Loxahatchee River area generally be relocated to or set at the line of mean high water. The Loxahatchee River is the last southeastern Florida river remaining largely in its natural state, particularly in its upper reaches through or along the Jonathan Dickinson State Park.

PINELLAS COUNTY

Because of many finger-fills, piecemeal bulkhead lines, and discontinuity in bulkhead line plats, Pinellas County has been the most difficult county for this Committee to review.

Pinellas is the most densely populated county in Florida. Pressures for waterfront living have been great. Northern Boca Ciega Bay has become almost synonymous with dredging and filling.

The Committee has recommended more than forty (40) relocations of bulkhead lines to the line of mean high water to preserve submerged land and open-water recreational areas. Major relocations of bulkhead lines shoreward have been recommended in the following areas:

(1) Seaside Point, St. Josephs Sound
(2) Honeymoon and Caladesi Islands and vicinity
(3) Northern end of Sand Key, Clearwater Harbor (potential state park or recreational site because of gulf and bay frontage, undeveloped condition and large single ownership)

(4) Cross Bayou (Seminole Area)
(5) Long Bayou (Seminole Area)
(6) Seminole Highway and railroad bridges area (just south of Long and Cross Bayou)
(7) Bird Keys (inside Johns Pass)
(8) Old Tampa Bay between Cross Bayou Canal and Courtney Campbell Causeway (shoreline north and south of Allens Creek)
(9) Zabel-Russel proposed fill, Town of South Pasadena, Boca Ciega Bay
(10) Cove area at northern limits of Town of South Pasadena, Boca Ciega Bay
(11) Tierra Verde development, Boca Ciega Bay
(12) North shore beach area, City of St. Petersburg, Tampa Bay
(13) Bayou Grande (Papys Bayou, Riviera Bay area)
(14) Ross Island and vicinity, Tampa Bay

Additionally the Committee recommends that a bulkhead line be located at the line of mean high water along the undeveloped shoreline of old Tampa Bay from Gandy Bridge to Howard Franklin (Interstate 4) Bridge to the Clearwater-St. Petersburg Airport, where Pinellas County in 1960 set a bulkhead line more than one mile offshore, taking in more than 3000 submerged acres. This ultra-liberal line has never been approved by the Trustees of the Internal Improvement Fund.

LEE COUNTY

Fresh waters from the Caloosahatchee River and the Peace and Myakka Rivers mix with salt water from the Gulf of Mexico in San Carlos Bay, Pine Island Sound, Matlacha Pass and Charlotte Harbor to form one of the largest estuarine systems in Florida. The open waters of this estuarine system are surrounded by many miles of irregular mangrove islands and shorelines and carpeted by vast beds of seagrasses that combine to produce more food fish than any other county. Because of the miles and miles of natural waterfrontage and sub-tropical climate, Lee County has much potential for waterfront developments and developers. Bulkhead lines generally have been set or proposed piecemeal rather than comprehensively except where large single ownerships are involved, such as Little Pine Island, or in the City of Fort Myers to which most of the Caloosahatchee River bottoms was conveyed by the State of Florida in 1915.

By a red line on the State Road Department County map the Committee has shown areas where bulkhead lines are recommended for relocation to the line of mean high water. Also the Committee recommends that in those areas where bulkhead lines have not been established that the bulkhead lines be so established at the line of mean high water. This latter recommendation is not shown by red or other lines because of the extensive and tortuous lines that would have to be drawn and because the recommended relocations would not stand out.

Major relocations of bulkhead lines to the line of mean high water are recommended for Little Pine Island, the islands along the causeway from Fort Myers Beach to Bonita Beach, along the northern shoreline of the Caloosahatchee River from Four Mile Cove to the Edison Bridge and then easterly past Marsh Point, the Orange River mouth, Tarpon Bay (Sanibel Island),

Cabbage Key, and Chatwick Bayou (Captiva Island).

A 10,000-acre offshore preserve was established by the Trustees of the Internal Improvement Fund in Estero Bay behind Fort Myers Beach in 1966. This action set a precedent which the Committee plans to follow in recommending additional aquatic areas for an expanded system of state-wide preserves independent of or associated with existing state parks.

Scenic and productive aquatic areas in Pine Island Sound and Matlacha Pass will be recommended and described as aquatic preserves.

Because of the large areas of red mangroves, determination of the location of the mean high water to separate private upland from sovereignty land is nowhere more difficult or more important than in Lee County.

This Committee has listed mean high water determinations as one of its major objectives for its forthcoming reviews and reports that hopefully will complement and encourage the recently regrouped and reactivated Mean High Water Line Committee.

Lee County offers an opportunity and a significant challenge to all those agencies and individuals interested in good comprehensive coastal planning, development, conservation and recreation.

MANATEE COUNTY

Bulkhead lines expediently set well offshore from the line of mean high water are recommended for relocation to the line of mean high water in comprehensive sections of shoreline on both sides of Sarasota Bay (including the Town of Longboat Key), Sarasota Pass, Palma Sola Bay and at and near the mouth of the Manatee River. Also relocation of bulkhead lines to the line of mean high water is recommended in Terra Ceia Bay and vicinity.

It is recommended that any bulkhead line from U.S. 19 northerly to Port Manatee be located at the line of mean high water along the meandering shoreline of Tampa Bay and Bishops Harbor.

It is expected that urbanization and pressures for waterfront development will grow in Manatee County as more heavily populated and developed Pinellas and Hillsborough Counties to the north on Tampa Bay reach a potentially maximum stage of waterfront development for residential, industrial, municipal and navigational purposes. Manatee County was one of the first counties to recognize a bulkhead line as a valuable and comprehensive planning tool for waterfront development, but only after a number of expedient bulkhead lines had already been set well offshore. The Committee is now recommending that these expedient bulkhead lines be relocated to the line of mean high water.

DUVAL COUNTY

Committee review of existing bulkhead lines in Duval County found only limited areas where adjustments are recommended. Major segments of the shoreline have already been

affected by port improvements, industrial developments and other urban activities. In only one case (easterly from Reddie Point, south shore of St. Johns River) did the Committee conclude that measureable conservation benefits would be obtained by relocating a significant segment of the existing bulkhead lines. At two other locations, the Committee recommends that short, isolated bulkhead lines be relocated to the mean high water line to avoid future development with potentially adverse effects. The Committee also recommends that any future bulkhead lines approved for Duval County be located at the line of mean high water.

SARASOTA COUNTY

Most of Sarasota County has a conservative bulkhead line set near or at the line of mean high water except in the Town of Longboat Key and on the western side of Lemon Bay along the Manasota Key shoreline where the bulkhead line was extended offshore to accept spoil from dredging the West Coast Intracoastal Waterway.

The Committee recommends that the bulkhead line be relocated to the line of mean high water along the western shoreline of Sarasota Bay in the Town of Longboat Key. Hundreds of acres of shallow productive bay bottom would be excluded as potential fill areas by the recommended bulkhead line relocation.

Not enough spoil was dredged and deposited to fill to the limits of the bulkhead line set offshore from the western shoreline of Lemon Bay along Manasota Key. The Committee recommends that the bulkhead line be relocated to the line of mean high water now that the waterway has been dredged. Present spoil sites would thus be encompassed and unfilled areas would be preserved.

Bulkhead lines within the City of Sarasota are mostly set or probably will be set at or near the line of mean high water. The Committee concurs with Sarasota's comprehensive and conservative approach.

* * *

The Trustees received the report for study. Governor Kirk expressed approval of the recommendations, stating that the philosophy as presented was a historic moment for Florida. The recommendations would be submitted to the local governing bodies, in whom responsibility for action on bulkhead lines rested, if adopted by the Trustees. Mr. Adams said the counties could use it and the criteria set up by the Interagency Committee to make their decisions, and that while the Trustees couldn't change the bulkhead line they would be called upon to approve dredge and fill permits, and sales.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted, that the report be received and be considered further at a meeting two weeks from this date at 9:00 A.M.

A number of persons were present. In answer to a question from Representative J. R. Middlemas of Panama City, Mr. Hodges said that the basic recommendations were designed to apply to all coastal counties and the Committee was continuing its work and

would have another report ready soon. Mr. F. D. R. Park, Water Control Engineer and Coastal Engineer for Dade County, discussed procedures of the county and the problem that ecological reports from the Board of Conservation didn't provide evaluations in terms they could use to weigh against benefits of waterfront improvements. He said notice of this hearing arrived late and he did not have the benefit of the report, which he criticized as to its effect on Dade County.

Mr. Bill Lund, State President of the Florida Izaak Walton League and Colonel Waddell, U. S. Army Ret., both made short statements approving the report.

With respect to the maps of coastal areas and bulkhead lines, Mr. Adams suggested that the Trustees be furnished information as to the expense involved in preparation of reference maps that would be correlated for better utilization. Mr. Hodges said he would confer with Mr. Rees Williams on the matter.

MEAN HIGH WATER COMMITTEE - Mr. J. Kenneth Ballinger, in the absence of the chairman, reported to the Trustees on the work of the Mean High Water Committee which was created by the Trustees in 1964 for the purpose of developing criteria that could be utilized in determining the line of mean high water. The committee, now composed of Robert C. Parker as Chairman, W. Turner Wallis, E. E. Carter, Paul T. O'Hargan, Jon S. Beazley, Frank E. Maloney, Adrian S. Bacon, J. Kenneth Ballinger and William R. Kidd, in a meeting in Orlando on August 9, 1968, gave approval to conclusions which were to be finalized by one of the members and circulated to two others before submitting them back to the main committee. At the request of the Trustees, this was accelerated, with a view to making a final report on criteria for locating mean high water lines separating private property from public.

Mr. Ballinger said the study initially used Lee County as a base, that county being probably the one with the most mean high water problems in the state. He said we do not have, and that apparently very few other states have any real definitive explanation of how to arrive at the line of mean high water. He mentioned a current law suit before the Supreme Court with reference to the line of mean high water in Lee County, one of the Circuit Judges having determined that such line could not be determined for Little Pine Island and therefore, that the original meander line set in 1854 would be the boundary of private ownership - which the state was disputing.

Mr. Beazley stated that the subject was extremely complex, there were no guidelines so the committee had to establish some which theory was now being tested by land surveyors of Collier County. They were faced with engineering or surveying criteria of an absolute elevation above a certain datum or position of the ocean at any one particular time, but wind, vegetation and many other criteria not engineering were involved. Mr. Ballinger added existing state laws would be studied and possibly new laws and a legal definition of mean high water would be required. More than 3,000 lineal miles are involved in the coastline.

The Trustees requested a report from the Mean High Water Committee in two weeks with criteria in a form that could be acted on.

TECHNICAL ADVISORY COMMITTEE ON FILL - Recommendations were presented from the Technical Advisory Committee on Fill, created

by the Trustees on May 14, 1968, to recommend guidelines for establishing the value of fill material secured from state-owned lands. Effective June 4, 1968, the current policy was a charge of five cents per cubic yard minimum for fill material, except for governmental agencies, a policy made retroactive for pending applications. The committee, having met on July 19 and August 14, 1968, submitted the following conclusions which form the basis for its recommendations:

(1) Because of many variables, it would be most difficult, if not impossible, to prepare a detailed set of guidelines to be used on a blanket basis throughout the state in arriving at a fair price to be charged for fill material.

(2) A minimum charge of ten cents per cubic yard for fill material would not be excessive nor would it be inconsistant with the value of land created.

(3) Any effort to obtain appraisals for individual applications to arrive at the fair market value of fill material would meet with inconsistency of appraisal methods, ambiguity, and inequities. In the opinion of the committee, such a policy would not be in the best interest of the state.

(4) Governmental entities whose activities are supported by public funds should be given fill material free of charge from state-owned lands, provided, however, that it can be shown that the project under application is, in fact, a bona fide and worthy public project. However, provision should be made to insure proper remuneration to the state for fill material obtained in such a manner if the property is sold later to private interests.

(5) Applications for fill in relatively small quantities used for owner-user oriented sites should not require certification as to the quantity requested. However, applications for larger quantities, generally in excess of 10,000 cubic yards, should require professional verification of that quantity under application. All applications should be subject to final measurement by the Trustees if they deem it necessary or desirable.

The Technical Advisory Committee on Fill submitted the following recommendations:

(A) A minimum price of ten cents (10¢) per cubic yard should be charged for fill material secured from state-owned lands.

(B) The Trustees should review periodically the recommended rate given above to insure that it is in line with the prevailing values in and the general economy of the state.

(C) Applications for fill material from governmental entities should be accompanied by recordable certification that the fill will be placed on public lands, and there should be no charge for the material. The certification should include a provision that would constitute a lien on said public lands in the amount of the value of the fill placed thereon in the event the land is disposed of to private interests.

(D) All applications for fill in which the quantity requested exceeds 10,000 cubic yards should require certification by a Professional Engineer or Registered Land Surveyor, duly

licensed in the State of Florida, as to the quantity of fill to be secured from the designated borrow area. All permits issued by the Trustees should state that the applicant grants the right to the Trustees or their agents to make any desired measurements of the material in place for verification of quantities.

Mr. Richard Boutin of the State Road Department made the Fill Committee's report and answered questions of the members. He said they did research as to what other states were charging in the southeastern area, and the Governor asked for a study of other major states to be sure of getting adequate value.

Mr. Christian thought it was a reasonable price and inasmuch as the price would be doubled, felt the recommendation was sound.

On motion by Mr. Christian, seconded by the Treasurer and unanimously adopted, the Trustees accepted the final report of the Fill Committee.

On motion duly adopted, the special meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: James T. Williams
STAFF MEMBER

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Tallahassee, Florida
September 3, 1968

The Trustees of the Internal Improvement Fund held the regular meeting on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

James T. Williams — Staff Member

On motion duly adopted, the Trustees approved the minutes of the meeting of August 20, 1968.

VOLUSIA COUNTY - File No. 2145-64-253.12(6) Mr. Donald U. Sessions of Daytona Beach, Florida, on behalf of Lillian M. Leftwich, applied for conveyance, under the provisions of Section 253.12(6) Florida Statutes (1967), of a parcel of sovereignty land in the

Halifax River abutting uplands in Section 37, Township 15 South, Range 33 East, City of Holly Hill, Volusia County, containing 0.17 acre filled subsequent to May 29, 1951, and prior to June 11, 1957. The applicant offered the appraised value of $600.00 per acre, or a total of $102.00 for the parcel, being the appraised value of the submerged land as it existed prior to filling.

Motion was made by Mr. Adams, seconded by Mr. Christian, and adopted unanimously, that the Trustees authorize issuance of the instrument required by the statutes for the price offered by the applicant.

VOLUSIA COUNTY - File No. 2147-64-253.12(6) Mr. David L. Black of Daytona Beach, Florida, on behalf of Vinal D. Cox, et ux, applied for conveyance, under the provisions of Section 253.12(6) Florida Statutes (1967), of a parcel of sovereignty land in the Halifax River in Section 14, Township 14 South, Range 32 East, in the City of Ormond Beach, Volusia County, containing 0.33 acre filled subsequent to May 29, 1951, and prior to June 11, 1957. The applicant offered the appraised value of $200.00 per acre, or a total of $66.00 for the parcel, being the appraised value of the submerged land as it existed prior to filling.

Motion was made by Mr. Adams, seconded by Mr. Christian, and adopted unanimously, that the Trustees authorize issuance of the instrument required by the statutes for the price offered.

ALACHUA COUNTY - Dedication, Chapter 253.03. The City of Gainesville requested dedication of a 1.48 acre parcel of land on the University of Florida campus for the extension of Southwest Sixth Street. The Board of Regents had no objection to the granting of right of way easement, and Staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Adams, and adopted unanimously, the Trustees approved dedication of the 1.48 acre parcel of Alachua County land as right of way easement for the extension of the street by the City of Gainesville.

DUVAL COUNTY - File No. 2139-16-253.03, Dedication. On July 16, 1968, the Trustees approved a bulkhead line as established by the City Commission of the City of Jacksonville on the north shore of the Trout River, enclosing submerged land in a small cove fronting the Jacksonville Municipal Zoo, in Duval County. The City requested dedication of the submerged land within the bulkhead line for expansion of the Jacksonville Zoological Park and development of a marina.

Subject to advertisement for objections only, the Trustees approved dedication of a parcel of submerged land in the Trout River abutting uplands in Section 45, Township 1 South, Range 27 East, lying southerly of and abutting Lots K, L, M, N and unnumbered Lot lying westerly of Lot N, all in the subdivision of the Wilson and Fenwick Grants as recorded in Plat Book 1, Page 8 of the Former Public Records of Duval County, Florida, containing 6.0 acres, more or less. Notice of the proposed dedication was published in the Florida Times Union and no objections were received.

The biological report from the Florida Board of Conservation showed no significant deleterious effects on conservation of marine life, habitats or fisheries from the proposed use of the

submerged land.

The Staff recommended dedication for public park, recreation and municipal purposes. The City of Jacksonville agreed to reimburse the Trustees for the cost of advertising.

On motion by Mr. Adams, seconded by Mr. Williams, and adopted unanimously, the Trustees approved dedication of the advertised parcel of submerged land for public park, recreation and municipal purposes, to the City of Jacksonville.

PALM BEACH COUNTY - Easement, Section 253.03. The City of Belle Glade requested an easement 6 feet wide over and across property in Sections 19, 20 and 29, Township 43 South, Range 37 East, Palm Beach County, title to which is in the Trustees of the Internal Improvement Fund. The land was being used by the Glades Correctional Institution, for which a larger water main was required than that presently in use. The Board of Commissioners of State Institutions on June 4, 1968, entered into an agreement with the City of Belle Glade for installation of a 12-inch water main to serve the Institution.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees grant the requested easement to the City of Belle Glade.

SARASOTA COUNTY - Dredge Permit, Section 253.123. Cable-Vue of Sarasota, represented by Mosby Engineering Associates, Inc., applied for permit to install a submarine television cable at the south end of Blackburn Bay in Section 35, Township 38 South, Range 18 East, Sarasota County.

The Florida Board of Conservation biologist reported that the installation should have no adverse effects on marine life, habitats or fisheries.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the dredge permit be approved.

LAKE COUNTY - Dredge Permit, Section 253.03. Dale G. Beebe of Clermont, Florida, applied for after-the-fact permit to remove 200 cubic yards of sand from Lake Minnehaha in Section 1, Township 23 South, Range 25 East, Lake County. Applicant tendered his check for $50.00 as penalty payment for the requested after-the-fact permit.

The Florida Game and Fresh Water Fish Commission reported that the work had been completed and was satisfactory, except that the borrow area was too close to shore.

Action on this application was postponed in meeting of June 4, 1968, pending consideration of amending the Trustees' policy to provide a penalty for issuance of after-the-fact permits. After consideration and advice by the Attorney General, the Trustees on July 23, 1968, adopted a policy requiring the penalty of increased charges of 10¢ per cubic yard, and minimum charge of $50.00.

The applicant having complied with requirement of the penalty payment, the Staff recommended approval of the permit.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of after-the-fact permit to the applicant.

DADE COUNTY - Dock Permit, Section 253.03. Ray L. Allen's Runaway Bay Club, represented by Lawrence I. Hollander, Attorney, of Miami, Florida, made application for permission to construct docking facilities for tenants of the motel and club members, on the north side of Treasure Island in Biscayne Bay in Section 9, Township 53 South, Range 42 East, Dade County. All required exhibits, including $100.00 processing fee, were submitted, and Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Dickinson, and adopted without objection, the Trustees authorized issuance of state commercial dock permit.

LEE COUNTY - Dock Permit, Section 253.03. Tringali Packing Corporation, represented by Carl E. Johnson, Inc., of Fort Myers, Florida, applied for permit to construct two finger docks in Matanzas Pass in Section 19, Township 46 South, Range 24 East, Lee County. All required exhibits, including $100.00 processing fee, were submitted, and the Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of state commercial dock permit.

TRUSTEES' FUNDS - On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees authorized the State Board of Administration to reinvest the amount of $1,067,000.00 (par value) now invested in short-term United States Treasury bills maturing on September 5, 1968, in like securities.

REFUND - On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized refund in the amount of $50.00 to the Chase Groves, Inc., being the amount of over-payment of the West Orange Water Conservation Association's share of matching funds in the cooperative agreement between local sponsors, the Trustees of the Internal Improvement Fund and the United States Geological Survey in the program of continuing investigation of water resources.

SUBJECTS UNDER CHAPTER 18296

MURPHY ACT REPORT - On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees approved Report No. 938 listing County of Monroe Deed No. 469-Corrective to Silver Springs Ocala Company, issued in lieu of deed to Silver Springs Ocala Co. Inc., to correct the name of the grantee in the original deed dated November 4, 1943.

REFUND - On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized refund in the amount of $10.00 to Shackleford, Farrior, Stallings and Evans for the reason that the State Road Department declined to recommend release of the state road right of way reservation contained in Hillsborough County Murphy Act Deed No. 2601.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: _____
STAFF MEMBER

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Tallahassee, Florida
September 10, 1968

The Trustees of the Internal Improvement Fund held the regular meeting on this date in the Captiol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James T. Williams — Staff Member

On motion duly adopted, the Trustees approved the minutes of the regular meeting of September 3, 1968.

MONROE COUNTY - File No. 2111-44-253.12. The Trustees' Staff recommended confirmation of sale of a 0.72 acre parcel of submerged land in the Straits of Florida in Section 28, Township 63 South, Range 37 East, Upper Matecumbe Key, being a parcel of submerged land fronting Tract 25 of Russell Estate as recorded in Plat Book 2 at Page 15 of the Public Records of Monroe County, containing 0.72 acre, more or less, for which the abutting upland owner, J. Morgan Jones Publications, Inc., made application to purchase.

On April 30, 1968, the application was presented for authority to advertise for objections only. Action was postponed for the reason that only four members were present on that date, and a current appraisal was requested. On July 23, 1968, the Trustees authorized advertisement for objections only on the basis of an appraisal of $600.00 for the parcel reported by Alan G. Schmitt on July 6, 1968. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection was received.

The Florida Board of Conservation biologist reported on October 19, 1967, that sale of the submerged land would not be adverse to conservation of marine resources.

Mr. Adams commented that the application was received and considered prior to the moratorium. He made a motion, seconded

by Mr. Faircloth and by Mr. Conner, that the Trustees confirm sale of the advertised parcel to the abutting upland owner at $600.00 for the parcel.

MARTIN COUNTY - Temporary Spoil Area No. 2315. In meeting December 19, 1967, the Trustees granted to the United States of America a temporary spoil area in the St. Lucie Inlet in Section 17, Township 38 South, Range 42 East, covering an area of 12.2 acres for the disposition of spoil from the maintenance dredging of the inlet, in such a manner that would build up the eroded beaches on Jupiter Island. That easement would terminate December 29, 1968. The District Engineer, Department of the Army, Jacksonville, Florida, on behalf of the United States, requested (1) that the use of said temporary easement be extended to January 1, 1970, and (2) that an additional area of 13.4 acres lying southerly of and abutting the original parcel be included in the temporary easement.

The Board of Conservation biologist reported that the two areas were on sandy, unvegetated bottoms and the utilization thereof as spoil areas would have little, if any, effect on marine resources. Also, the Division of Beaches and Shores of the Board of Conservation approved the area and the method to be used in beach nourishment. Staff recommended approval of the two requests.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized extension of the temporary easement to January 1, 1970, and inclusion of the additional 13.4 acres.

TRUSTEES POLICY - Fill Material Rates. On September 3, 1968, the Trustees approved recommendations of the Technical Advisory Committee on Fill, including the following:

> "A minimum charge of ten cents (10¢) per cubic yard should be charged for fill material secured from state-owned lands."
>
> Also, "Applications for fill from governmental entities should be accompanied by recordable certification that the fill will be placed on public lands, and there should be no charge for the material. The certification should include a provision that would constitute a lien on said public lands in the amount of the value of the fill placed thereon in the event the land is disposed of to private interests."

In view of the change in policy, a modification of existing Rule 200-2.071 was in order. Authority was requested to exercise the emergency provisions of Chapter 120, Florida Statutes, thereby allowing the amended rule to become effective immediately for all permits to be approved by the Trustees.

After-the-Fact Permits. On July 23, 1968, the Trustees amended Rule No. 200-3.06 to impose a penalty on illegal fills involving fresh water lakes where after-the-fact dredge permits were considered, and authorized a minimum of 10¢ per cubic yard and a minimum total fee of $50.00, in lieu of the 5¢ per cubic yard and $25.00 minimum which was then the regular charge.

In view of the change in policy making a minimum charge of ten

cents (10¢) per cubic yard for fill material secured from state-owned lands, a modification of the existing policy for after-the-fact dredge permits was in order. Authority was requested to amend the rule and exercise the emergency provisions of Chapter 120, Florida Statutes, thereby making effective immediately an increased penalty charge of a minimum of twenty cents (20¢) per cubic yard and a minimum total fee of $100.00 for after-the-fact dredge permits involving fresh water lakes, thereby charging double the amount required for authorized dredged material as previously suggested by the office of Attorney General.

On motion made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees approved the changes as proposed for fill material rates under the emergency provisions of Chapter 120, thereby making effective immediately for regular applications a minimum charge of ten cents (10¢) per cubic yard with the provisions as quoted above for governmental entities, and increasing immediately the penalty charge for after-the-fact applications to a minimum of twenty cents (20¢) per cubic yard and a minimum total fee of $100.00 for after-the-fact dredge permits involving fresh water lakes. The motion as adopted further included a provision that all applications which were now pending would be at the old rate and all applications that come in from this day forward would require payment at the new rate.

TRUSTEES POLICY - Dock Permits. Due to increasing congestion adjacent to the Intracoastal Waterway along the east coast of Florida (from Fernandina to Miami), along the west coast of Florida (from the Caloosahatchee River to the Anclote River), and the Okeechobee Waterway (from near Stuart to Punta Rassa), the Department of the Army has adopted navigation clearance criteria within the Jacksonville District with respect to the placement of structures adjacent to those waterways, as follows:

> Structures may not be placed within 100 feet of the adjacent bottom edge of the project channel except where the distance between the bottom edge of the project channel and the normal high-water shoreline is less than 100 feet. Where the distance is less than 100 feet all parts of a structure shall be landward of a line parallel to and coinciding with the shoreline. Permits authorizing the location of structures of less than 100 feet shoreward from the adjacent bottom edge of the project channel shall contain the following condition, in addition to those of the standard permit:
>
> "Vessels shall not be berthed at the structure in such a manner that any part of a vessel will extend channelward of a line 25 feet landward of the adjacent bottom edge of the channel."

On motion by Mr. Adams, seconded by Mr. Conner and passed unanimously, the Trustees adopted the above policy with respect to issuance of permits for structures adjacent to the above-named waterways.

HIGHLANDS COUNTY - Dredge Permit, Section 253.03. The Board of County Commissioners of Highlands County applied for permit to dredge a channel between Little Lake Jackson and Big Lake Jackson in Section 31, Township 34 South, Range 29 East, to provide boat

access between the two lakes in Highlands County. Florida Game and Fresh Water Fish Commission reported favorably on the project, subject to certain standard stipulations as to dredging.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the dredge permit be approved.

MARION COUNTY - Dredge Permit, Section 253.03. Mr. George J. Albright, Sr., of Orlando, Florida, applied for permit to remove 100 cubic yards of fill material from Lake George in Section 13, Township 14 South, Range 26 East, Marion County, to use for improvement of his upland property. Florida Game and Fresh Water Fish Commission reported favorably on the work, subject to standard stipulations as to dredging.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the permit be issued for the minimum charge of $25.00.

DUVAL COUNTY - File No. 2139-16-253.124, Fill Permit. The Staff recommended approval of the fill permit issued by the City of Jacksonville, Florida, on August 26, 1968, to said City of Jacksonville under the provisions of Section 253.124 Florida Statutes, to fill the parcel of submerged land in the Trout River abutting city upland property in Section 45, Township 1 South, Range 27 East, dedicated to the city for expansion of the Jacksonville Zoological Park by the Trustees on September 3, 1968, under the above file number.

A copy of the biological report from the Board of Conservation biologist showed no significant deleterious effects on conservation of marine life, and all material used in the filling operation would be hauled in from borrow areas on upland.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the fill permit.

DUVAL, MARION, PINELLAS COUNTIES - Dock Permits, Section 253.03.

1. Hans G. Tanzler, Jr., Chairman of the City Commission, on behalf of the City of Jacksonville, applied for permit for a dock adjacent to the zoo property in the Trout River in Section 44, Township 1 South, Range 27 East, Duval County.

   All required exhibits were submitted and waiver of the $100 processing fee was requested for the public facility.

2. Florida Salt Springs Corporation, represented by Moorhead Engineering Company of Ocala, Florida, applied for permit for a dock in Lake Warner in the Hernandez Grant in Section 42, Township 13 South, Range 26 East, Marion County.

   All required exhibits and $100 processing fee were submitted.

3. Rayhan, Inc., represented by Moorhead Engineering Company of Ocala, Florida, applied for permit for a dock in Lake Ker in Section 21, Township 13 South, Range 25 East, Marion County.

   All required exhibits and $100 processing fee were submitted.

4. Albatross Motel, Clearwater, Florida, was issued a permit by the Pinellas County Water and Navigation Control Authority for a dock in Clearwater Harbor in Section 8, Township 29 South, Range 15 East, Pinellas County.

   All required exhibits and $100 fee were submitted for state commercial dock permit.

5. Jenard M. Gross, St. Petersburg, Florida, was issued a permit by the Pinellas County Water and Navigation Control Authority for a dock in Smacks Bayou in Section 9, Township 31 South, Range 17 East, Pinellas County.

   All required exhibits and $100 fee were submitted for state commercial dock permit.

6. Sea Island Apartments Condominium 1 Assn., Clearwater, Florida, was issued a permit by the Pinellas County Water and Navigation Control Authority for a dock in Clearwater Harbor in Section 8, Township 29 South, Range 15 East, Pinellas County.

   All required exhibits and $100 fee were submitted for state commercial dock permit.

7. Richard R. Taylor, Treasure Island, Florida, was issued a permit by Pinellas County Water and Navigation Control Authority for a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East, Pinellas County.

   All required exhibits and $100 fee were submitted for state commercial dock permit.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of state commercial dock permits to each of the seven above applicants, each for $100 processing fee except in the case of the public dock facility for the City of Jacksonville for which the fee was waived.

PUTNAM COUNTY - On September 3, 1968, the Outdoor Recreational Development Council authorized reconveyance of title to the 12.49 acre parcel of land in Putnam County which had been donated by Mrs. Floye J. Mathaisen on December 24, 1964, which could not be utilized for outdoor recreational purposes. Staff recommended reconveyance of title to the grantor by appropriate instrument.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of appropriate instrument, prepared by the Attorney General, reconveying the parcel of land to Mrs. Mathaisen, the grantor.

LEE COUNTY - Lease. Florida Audubon Society, holder of Wildlife Refuge Lease No. 1288 expiring on September 23, 1968, requested renewal for an additional ten (10) years at $1.00 per year. The lease covered an island in Matlacha Pass known as Bird Island, reported to be heavily used by wading birds and one of the most productive bird islands on the west coast. The lease provided for cancellation by the Trustees after 30-day written notice.

On motion by Mr. Williams, seconded by Mr. Adams and adopted

unanimously, the Trustees authorized renewal of the Wildlife Refuge Lease for ten (10) years on the same terms and conditions.

MONROE COUNTY - Lease. Florida Audubon Society, holder of Wildlife Refuge Lease No. 1202-S expiring on September 18, 1968, requested renewal for an additional ten (10) years at $1.00 per year. The lease covered Snipe and Content Keys containing 105 total acres in Monroe County, which the Society advised was a nesting place for white herons and white-crowned pigeons. It provided for cancellation by the Trustees after 30-day written notice.

On motion by Mr. Williams, adopted unanimously, the Trustees authorized renewal of the Wildlife Refuge Lease for ten (10) years on the same terms and conditions.

PALM BEACH COUNTY - The Board of Regents requested the Trustees to enter into an agreement with the Perini Land and Development Co. which would allow Perini to remove fill from a borrow pit in the NE¼ of Section 6, Township 43 South, Range 43 East, Palm Beach County, on land which was donated to the state by Perini for the purpose of filling and grading the remainder of the land. All fill removed from the borrow pit would be placed only on the remainder of the property to raise the land level for future use by the Board of Regents. There will be no cost to the state and the Staff recommended approval, subject to approval by the Attorney General of the instrument.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees granted the request of the Board of Regents subject to the approval of the Attorney General of the agreement instrument.

PINELLAS COUNTY - Beach Nourishment, Mean High Water Line. On September 27, 1966, the Trustees granted permission for the City of Treasure Island project of beach nourishment extending along the existing shoreline of the Gulf of Mexico within the corporate limits of the city for a linear distance of approximately 1.7 miles along the beach.

Pinellas County Department of Public Works and Engineering, by actual field survey, located and established the line of mean high water for that portion of the shoreline of the Gulf of Mexico in the City of Treasure Island involved in the beach nourishment project.

The plats of survey of the line of mean high water were submitted with the request that they be approved by the Trustees. The line, when approved and recorded, would be the seaward boundary of private ownership and could be used in the preparation of easements covering the beach restoration area seaward of said line.

The Division of Beaches and Shores of the Florida Board of Conservation had reviewed the matter and recommended appropriate action be taken.

Staff recommended approval by the Trustees of the line of mean high water as delineated on the plats of survey submitted by the Pinellas County Department of Public Works and Engineering,

the wording of such approval which will appear on said plats to be prepared by the office of the Attorney General in conformity with the present responsibilities and authorizations granted by Statute.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the recommendations of the Staff as shown above.

PASCO COUNTY - In 1959 the Trustees sold property in Pasco County to Howard A. Burkland in four separate contracts for sale. At the same time, an agreement was made by the Trustees and Burkland for Burkland to do certain things with the property, generally these: (1) Burkland would dredge, fill and develop and after development, convey to Pasco County approximately 30 acres of land for a public beach; (2) after development, he would also convey approximately 30 acres of land to the City of New Port Richey for a public beach; and (3) the developer would convey a 50-acre tract of upland to the Board of Public Instruction of Pasco County. Other items were specified, such as dedication of roads, streets and the like; but these were not material to the lawsuit mentioned below.

The contracts were assigned, as permitted by the Trustees, and financial arrangements were made. The Marine Bank & Trust Company became involved as mortgagee in the first suit and the mortgage became in default. Following financial negotiations, all of which failed, suit was filed by the Trustees, the city, the county and the School Board to force compliance with the agreement.

Subsequently, a suit was filed by Benjamin Berkovitz against the Marine Bank and others, including the Trustees, to require foreclosure of another mortgage. Many hearings were held before Judge Kelly in Dade City and finally, after much negotiation, a settlement was agreed to by all attorneys, subject to ratification by their principles. The Trustees, of course, have no substantial interest in the property now, having been paid for it, but were involved in order to see that the city and county and School Board were protected under the terms of the Trustees' agreement. The settlement agreement provided for conveyance by the parties to the extent that the School Board was now satisfied, Pasco County and the City of New Port Richey were satisfied, if development aspects were permitted to continue.

A bulkhead line had long been established. Certain fill had already been done. The county will agree to recognize bulkhead lines and to issue fill permits. The Trustees were asked also to recognize and confirm the bulkhead line and to ratify or confirm such fill permits as the county would issue during the period of time necessary to completely develop the property in accordance with the original agreement, which opposing counsel estimated to be 20 years.

Only because of the basic interests of the county and city in 30 acres each of public beach and because of the School Board's interest in a 50-acre school site, did Mr. T. T. Turnbull, Assistant Attorney General and Chief Trial Counsel, representing the Trustees, recommend that the Trustees obligate themselves to ratify and confirm the bulkhead line and to honor the fill permits that would be issued by the county. However, the area involved was rocky and not subject to dredging. After approving

the stipulation, the Chairman of the Board would be asked to sign the original stipulation to be filed in the Court.

Mr. Faircloth said he thought it was the best arrangement the state could get under the circumstances, and he made a motion for approval. Upon second by Mr. Williams, the motion was adopted unanimously.

TRUSTEES FUNDS - Capitol Center Property. It had been brought to the attention of the Staff that the present owners of the Dorian Building had expressed a willingness to sell that property for an amount which was ten per cent above the appraised value of $220,190.21 set by the state appraiser in April 1967, and copy of the appraisal was furnished to each member.

Mr. Williams said he had been in favor of the purchase for years and would like for the Trustees to enter into negotiations to buy the property which would provide good office space.

Mr. Adams said that purchase of the Dorian Building had been under consideration for some time and only recently had it appeared that the state would be able to negotiate with heirs of the former owner on the basis of the appraisal. He said there was no doubt but that the building could be utilized immediately, that the Superintendent of Public Instruction needed office space near the Capitol.

Mr. Dickinson said if it could be acquired at a price in the area under consideration and with reasonable expenditure put in condition, it would be a wise investment.

Governor Kirk said as a matter of philosophy he would vote against purchase of any old building downtown.

On motion by Mr. Adams, seconded by Mr. Williams, and adopted with the Governor casting a negative vote, the Trustees authorized negotiations to proceed.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

ATTEST: STAFF MEMBER

* * * * * * * * *

Tallahassee, Florida
September 17, 1968

The Trustees of the Internal Improvement Fund held a special meeting at 9:00 A.M. on this date in the House Chamber in the Capitol, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

This special meeting was scheduled for the purpose of hearing a report from the Mean High Water Committee and allowing a hearing on Report No. 1 of the Interagency Advisory Committee on Submerged Land Management which had been presented to the Board in a special meeting on September 3, 1968.

MEAN HIGH WATER COMMITTEE:

Mr. Adams pointed out that there was much misunderstanding among public officials and concerned private citizens as to the reason for the hearing and seeking to resolve the problem of defining the mean high water line - that point where public ownership and private ownership meet. He called on Mr. J. Kenneth Ballinger, Assistant Attorney General and a member of the Mean High Water Committee, who discussed the report and recommendations which, as had been presented to the Trustees under date of September 5, 1968, were as follows:

Separation of the public and private ownership of sovereignty lands by the establishment and recognition of the line of mean high water has been studied by the above-named committee since its appointment by the Trustees and first meeting June 11, 1964.

Boundaries determined by the course of the tides involve two engineering aspects: a vertical one, predicated on the height reached by the tides during its vertical rise and fall, and constituting a tidal plane or datum; and a horizontal one, related to the line where the tidal plane intersects the shore to form the tidal boundary.

On the basis of the interim findings of a special cooperative study along the shores of Lee County by the state and the U. S. Coast and Geodetic Survey, and of subsequent conferences by the committee, the committee respectfully recommends:

1. The establishment of tidal bench marks along the perimeter of the nine South Florida counties first, and the remainder of the state following, to supplement those already in place, and immediate preparation of instructions to all registered land surveyors and engineers for the interpolating between elevations of existing tide stations in like waters, this work to be undertaken in cooperation with the U. S. Coast and Geodetic Survey. Commitment of $250,000 in state funds for this purpose.

2. Publication of a permanent uniform set of standards for the use of professional land surveyors and engineers in determining methods of establishing mean high water, to be adopted and promulgated by the Trustees of the Internal Improvement Fund. Authority of the Trustees to pay for printing and distribution of approved standards.

3. Authorization by the Trustees for the committee to meet with the director of the Data Processing Management Board to determine possible use of state-owned

computer equipment in processing data in county-by-county determination of the mean high water line.

4. Authorization for the staff of the Trustees to procure aerial photographs covering the seaward perimeter of the nine critical counties for photogrammetric interpretation of mean high water data. Estimated 2,000 miles at $10 per mile, or $20,000. This photography would serve as an interim medium of information for ground truth verification until a complete demarcation of the MHW line data could be established by or in cooperation with the U. S. Coast and Geodetic Survey. The time and cost for such a project is not available at this time.

5. That existing state laws be studied and amendments proposed to make it possible for the Trustees to accept lines of mean high water as established by criteria detailed above, and to suggest a legal definition of mean high water. Preparation by the Attorney General.

Mr. Fred Vidzes of the Trustees' Staff, by sketching on a blackboard, further explained what was proposed. With the determination of the height, the range of tides, and elevation for the mean high tide line by suitable tidal bench marks posted at various stations around the state and coastal areas, a surveyor or engineer could pick up those stations and locate the point of intersection of the foreshore or the beach - or in the mangrove or somewhere along the coastal area that is affected by tides.

Mr. Ballinger said the committee was unanimous in approval of the above report with the exception of Mr. Adrian S. Bacon who had some reservations. Mr. Bacon mentioned legal problems arising from determination of the mean high water line, and said his only reservation was the cost which might approach two or three million dollars ultimately, but that he thought the approach was sound.

Mr. Adams on behalf of the Trustees thanked the Committee for the information and report long needed. He suggested it be received and referred to an appropriate subcommittee of the Cabinet.

Mr. Faircloth pointed out the relationship between the mean high water report and setting of bulkhead lines. In the discussion which followed it was agreed that it would not be possible for some time to determine mean high water lines for large areas but that in some isolated places, with careful engineering and review by the Trustees on the basis of knowledge of that area, such as the portion of the gulf shoreline in the City of Treasure Island approved by the Trustees last week, it would be possible to proceed.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the report of the Mean High Water Committee be received and referred to an appropriate subcommittee of the Cabinet to be evaluated and a recommendation be made to the Trustees as soon as possible. Mr. Adams said that there being no subcommittee for the Trustees of the Internal Improvement Fund, the report was referred to the subcommittee for the Board of Conservation.

INTERAGENCY ADVISORY COMMITTEE ON SUBMERGED LAND MANAGEMENT:

Mr. Adams recognized the large number of interested parties present for the hearing, particularly interested in the position or action of the Trustees. The Trustees in declaring a moratorium on sales, dredging and filling of state land had felt it was time to take stock in as nearly an objective way as possible; and they began with conservation considerations. Mr. Adams said it was not the intent, originally or now, to act on the Committee report, either pro or con, but to have the Committee evaluate as best they could based on ecological and other considerations, and to recommend those things to be done to obtain the optimum from a conservation standpoint; however, obviously, there were other considerations in a growing state to meet the economic demands of the present and future.

Mr. Adams pointed out that the Trustees had no authority other than that vested by law, and the law does not place in them the responsibility of establishing bulkhead lines or modifying bulkhead lines, which responsibility is in the appropriate local body, a city or county commission. Also, some areas, namely Monroe County, are not subject to the present bulkhead law.

The Trustees felt a great interest, however, and a need to establish some point of reference from which bulkhead lines may be established, and concurred in the following motion read by Mr. Adams:

Ever since the Interagency Committee released its bulkhead line report several weeks ago, there has been a great deal of public confusion and misunderstanding as to what it does and does not do. Therefore, before this Board adopts any policy based on this study, I think it is essential that we clarify the intent and meaning of that report:

1. The growth of Florida in all its aspects dictates that we constantly re-evaluate state policies and procedures as they relate to the development of our State.

2. Over the years there has been obvious and improper encroachment of public areas of Florida where open spaces in both land and water are essential to the health and welfare of our people. In the process, the best interests of conservation of our natural resources, not to mention the people, have been damaged.

3. It is the desire of this Board to establish, insofar as possible, a uniform policy on the setting of bulkhead lines for the entire perimeter of the State. For this purpose, this Board created the Interagency Committee to consider all conservation aspects of dredging, filling and the sale of public lands.

4. This Board recognizes that there are other factors in addition to conservation which must be considered in establishing bulkhead lines.

5. This Board also recognizes that under Chapter 253.122 Florida Statutes, it can neither set nor modify county or municipal bulkhead lines but possesses authority only to approve or disapprove lines proposed by these local bodies of government.

With these facts in mind, I, therefore, move that the Trustees of the Internal Improvement Fund adopt the following policy

on establishing bulkhead lines in Florida:

1. That the mean high water line be the point of reference from which all bulkhead lines be established henceforth.

2. That in establishing new bulkhead lines or in modifying existing lines, other factors in addition to the mean high water line should be considered to insure the maximum benefits and public good of such lines:

   a. Previous fills in the area
   b. The regularity or irregularity of the adjacent shoreline
   c. The economic needs of the area
   d. The state of development of the area
   e. Biological factors
   f. Use for public purposes

3. That each case will be determined on its own merits and that our overriding guideline will be to seek a bulkhead line that provides for the maximum public benefit and use in light of all the factors considered.

Mr. Faircloth made a motion that the Trustees immediately remove the moratorium on consideration of applications for sale of submerged lands and all other matters insofar as the moratorium affects the nine counties listed in report number one of the Committee.

Mr. Christian seconded the motion to add to the motion the amendment as stated by Mr. Faircloth, and upon vote it was unanimously adopted as number "4".

Action was not taken on the complete motion, which was stated at this time to assist in clarifying the thinking and the position of many of those present at the hearing. At this time, those who wished to submit a written statement for the record were asked to do so, or to file them later.

Statements for the record were received from the following:

Lee County Conservation Association, Inc., Fort Myers, Florida, William H. Meller, Chairman of Legal Committee, and Roland Q. Roberts, Vice President

Reid W. Digges, President, The Izaak Walton League of America, Northeast Chapter

Martin County Resources Development Board, Chairman Resources Board Maclaren (Telegram)

Stephen P. Clark, Mayor, Miami, Florida (Telegram)

Lower Keys Chamber of Commerce, Marathon, Florida (Telegram)

Edgar H. Latham, President, Town Council, Town of Palm Beach, Florida

George L. Patterson of Scott, McCarthy, Steel, Hector & Davis, Miami, Florida, for Florida Power & Light Company

William C. Cunningham, Chairman, Board of County Commissioners, County of Sarasota, Sarasota, Florida

Jack C. Betz, Mayor, City of Sarasota, Sarasota, Florida

Vincent M. Drost, Cudjoe Gardens, Sugar Loaf Shores, Key West, Florida

Douglas Rees, Developments and Investments, Sarasota, Florida

Maurice W. Provost, Director, Florida State Board of Health, Entomological Research Center, Vero Beach

Bob Bair, Audubon Society of the Everglades, Palm Beach, Florida

Objections of Tierra Verde to Proposed Change in Bulkhead Line, by Harrison, Greene, Mann, Davenport, Rowe & Stanton. By Billy L. Rowe, of firm of attorneys for Murchison Brothers, Dallas, Texas

The following speakers were heard by the Trustees.

Mayor Gerald Saunders of Key West, Chairman of Board of County Commissioners and Howard M. Post, County Engineer, of Monroe County, were in favor of the motion and also spoke against any possible inclusion of Monroe County under provisions of Bulkhead Act.

J. Lewis Hall of Tallahassee, Florida, approved the motion and holding Report No. 1 for guidance and information.

Robert T. Bair of Palm Beach, for the Audubon Society of the Everglades, Florida Wildlife Federation and Federated Conservation Council of Palm Beach County, said he liked the motion but opposed lifting the moratorium.

Representative J. R. Middlemas spoke against the proposed motion and thought the Interagency report should be adopted. Mr. Christian and Mr. Adams questioned him, pointing out that the Trustees do not set the bulkhead lines, that in some areas people had purchased land in good faith and paid taxes on it. Mr. Middlemas felt that the principles of the Interagency Committee report should be followed when considering dredge and fill permits, and that compensation be made to those purchasers. The law provided for ratification by the Trustees, representing the State's interest in bulkhead lines.

Dewey Dye was for the motion, but suggested the addition of "private property rights."

Lonnie Wurn was in favor of the motion.

Adrian S. Bacon was in favor of the motion which he said was an implemention of the law; pointed out that private property owners are part of the public.

Walter P. Fuller was for the motion and will submit written comments.

Joe Jacobs said the Trustees followed the statutes and complied with criteria of the Randell Act, but that Monroe County was different and the mean high water line would not be the proper reference point in that county.

William H. Meller for Lee County Conservation Association was against the motion and setting aside of the moratorium.

Billy L. Rowe said that he and Ross Stanton of St. Petersburg had filed written objections to the Interagency report; were in favor of the motion and the recognizing of private property rights.

Edward N. Claughton, Jr. of Miami was for the motion; questioned policy on previously sold or deeded lands.

Joe Browder for the National Audubon Society said the motion almost repudiated the work of the Committee and he was against withdrawal of the moratorium which might remove the local incentive to follow the leadership provided heretofore.

Robert P. Murkshe, Mayor of Cocoa Beach, speaking in favor of the proposed motion, appreciated the statement that the Trustees had great confidence in local governments, felt that the Randell Act was excellent vehicle to handle each case on its merits, and urged the Board to pursue the mean high tide line with great diligence.

Dean Tooker for Martin County was in favor of the motion, and also suggested change in the law to solve an impasse' that developed when the local authority wanted one bulkhead line and the Trustees another.

Nathaniel P. Reed, speaking for himself, thought that the motion did not follow the philosophy of the conservation-minded Committee report, and that removing the moratorium would lead counties and cities to feel no need to re-examine their bulkhead lines, but he said it might be a matter of his interpretation.

Mr. Adams recalled that the Governor initially called for a 90-day moratorium, others for a sufficient time to develop recommendations, and other members felt that since it would take a year or two to cover the entire state it would not be proper to subject the whole state to a moratorium for that duration. Mr. Faircloth said the moratorium was predicated on sufficient time to get a report, and that city or county commissioners should understand that the policy of the Trustees under point number one of the motion was that the mean high water line was the point of reference and if they placed a bulkhead line seaward of that, they must have a very good reason.

Merrett R. Stierheim, City Manager of Clearwater, was present because of a planned major change in bulkhead lines for downtown Clearwater.

Lawrence Clark said his points were already covered.

Mr. Hutcheon said the Town of Palm Beach had submitted a formal response to the Interagency Committee Report asking that it be only one of several guidelines.

Sam Gibbon of Town of Longboat Key appreciated the action on the mean high water matter; hoped there was no softening of the conservation aspects of the Randell Act.

George R. Frost, for the Board of County Commissioners of Palm Beach County, was for the motion, had been concerned

lest there be further erosion of local prerogatives. He pointed out that he had heard nothing to give the Board of County Commissioners timing guidelines in which to act. Mr. Adams said that the procedure to establish mean high water lines would be such a guide.

Phillip A. "Bill" Lund, for the State Division of Izaak Walton League, was against the motion and lifting of the moratorium, and mentioned confusion regarding bulkhead lines previously set, lands already sold.

Mr. Adams said under the law property rights must be recognized, and he looked upon what was done today as similar to the application of the zoning law - that the Board cannot interpret the law in purely a convenient manner. He thought this action would strengthen the Randell Act while at the same time protecting both private and public property rights. The Interagency Committee would continue to work on their other objectives, Report No. 1 covering only "A" and "B".

Evans Crary, Jr., for certain private owners, spoke in approval of the spirit of the motion and urged addition of a statement concerning private property rights.

Dr. Walter A. Glooschenko, Assistant Professor of Oceanography at Florida State University, speaking as a private citizen, said lands should not be sold for development of big interests, that bulkhead construction should be landward of mean high water, and ecological consideration would allow no fills beyond mean high water.

William M. Partington of Florida Audubon Society approved the mean high water line as guideline, opposed lifting the moratorium before counties have re-evaluated. He said the counties should get the message that the Cabinet believes in the basic philosophy of preserving the shorelines at the mean high water mark, and that for any deviation the counties or municipalities should show why it was in the public interest. He pointed out that recreation, fish and wildlife have economic value, also.

Mal Englander, Councilman of Miami Beach, asked the Board not to follow the recommendation in the report as to the 200 acres of submerged land south of Julia Tuttle Causeway which the State sold to the city in 1944 and, now that access has been attained, is planned for a recreational facility.

On September 3, 1968, Governor Kirk had given Mr. Adams his proxy to vote for approval of the Interagency Committee report, which is set out in these minutes at this point for the reason that on this date there was no vote taken on the report.

In closing the hearing, Mr. Adams asked for expressions from the members. Mr. Conner had previously pointed out that maintaining private property rights became a matter of integrity. Mr. Dickinson reaffirmed the determination of the Trustees not to let up in their zeal to continue the thrust for development and for preservation of conservation areas, reaffirmed their belief in local government, and pointed out that all done in the past was not bad or anti-conservation. Mr. Dickinson added that they would continue to be very cautious in disposing of state land and now have a new base mark, the mean high water

line reference point, so that all would know where they stand.

Mr. Faircloth proposed as a second amendment to the motion that "g. Private property rights" be added, which was seconded by Mr. Christian and upon vote adopted unanimously.

On the entire motion (including the two amendments), Mr. Christian moved that the motion as amended be approved. Mr. Faircloth seconded the motion, which was unanimously approved.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST:
STAFF MEMBER

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Tallahassee, Florida
September 17, 1968

The Trustees of the Internal Improvement Fund held the regular meeting on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

James T. Williams	Staff Member

On motion duly adopted, the Trustees approved the minutes of the special meeting of September 3 and the regular meeting of September 10, 1968.

Representative M. T. Randell of Fort Myers, Florida, reported with reference to dredging in Lake Okeechobee and a joint meeting of the Legislative Committee on Leases of State Oil and Mineral Lands and the Legislative Council's Subcommittee on Fresh Water Management, held in Clewiston, Florida, on September 16. This meeting and public hearing was on the subject of proposed exercise of lease option by Coastal Petroleum Company, (Coastal Engineering Company) to mine limestone in Lake Okeechobee.

Mr. Randell presented the following resolution from the committees:

R E S O L U T I O N

WHEREAS preservation of Florida's fresh water resources is of primary importance to every segment of this state's population; and

WHEREAS, the misuse or mismanagement of any major portion of Florida's fresh water resources may have severe consequences upon the economy and health of all the people of this state; and

WHEREAS, major policies and decisions which have a prospective effect upon the proper management of fresh water resources should not be made in the absence of comprehensive legislative study; and

WHEREAS, the work proposed to be undertaken in Lake Okeechobee by the Coastal Petroleum Company is an example of an activity which has a prospective effect upon a major basis of the state's fresh water resources; Now, Therefore be it

RESOLVED, by the joint action of the Interim Committee on Leases of State Oil and Mineral Lands and the Legislative Council's Subcommittee on Fresh Water Management, that the Cabinet of Florida sitting in its capacity as the Trustees of the Internal Improvement Trust Fund and also in its capacity as the Board of Conservation is requested to refuse permission to Coastal Petroleum Company to undertake its planned work in Lake Okeechobee, until the legislative committees currently studying state oil and mineral leases and fresh water management are able to complete their surveys and report to the regular session of the Florida Legislature in April 1969.

As a courier, Mr. Randell also presented a resolution opposing removal of limestone from Lake Okeechobee adopted by the Water Users Association of the State of Florida, Inc., in their regular meeting at West Palm Beach on August 28, 1968.

Mr. Adams said the Trustees welcomed the resolutions, that they were developing a program of building up water reservoirs, and the Attorney General was defending the state's position. Mr. Faircloth also expressed appreciation for the support from the legislative committees and others concerned with the fresh water supply in Florida.

On motion unanimously adopted, the Trustees received the two resolutions, copies of which were filed.

PALM BEACH COUNTY - Dredge Permit, Section 253.123. The Palm Beach Cable Television Company of North Palm Beach, Florida, applied for a permit for installation of a community television cable in Lake Worth in Section 27, Township 42 South, Range 43 East, Palm Beach County.

The biological report of the Board of Conservation indicated no significant adverse effects on marine life, fisheries or habitats.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized issuance of the permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123. Florida Power and Light Company of Sarasota, Florida, applied for permit for installation of a submarine cable crossing Sarasota Bay in Section 33, Township 37 South, Range 18 East, Sarasota County.

The Staff requested waiver of the biological study as provided in Section 253.123(3)(a), Florida Statutes.

On motion by Mr. Conner, seconded and adopted without objection, the Trustees approved issuance of the permit without requiring the study, for the cable crossing.

MARTIN COUNTY - Dean Development Company of Stuart, Florida, applied for a permit to construct a dock in the St. Lucie River in Section 3, Township 38 South, Range 41 East, Martin County. All required exhibits including the $100.00 processing fee were submitted and Staff recommended approval.

On motion by Mr. Christian, seconded and adopted without objection, the Trustees authorized issuance of state commercial dock permit to the applicant.

SHELL LEASES - The Trustees accepted as information for the record the following report of remittances received by the Florida Board of Conservation from holders of shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$11,724.88
1718	Radcliff Materials, Inc.	11,175.51
2233	Bay Dredging & Construction Co.	5,001.64
1788	Benton & Company	8,240.08
2235	Ft. Myers Shell & Dredging Co.	519.75
2235	Ft. Myers Shell & Dredging Co.	606.60

DUVAL COUNTY - It was recommended that the Trustees lease to the Bureau of Law Enforcement the former Highway Patrol Station on U. S. Highway No. 90, west of Jacksonville, in Section 21, Township 2 South, Range 25 East, Duval County, which was declared surplus by the Department of Public Safety on September 3, 1968. The Bureau agreed to assume complete maintenance of the property and building, allowing the Highway Patrol continued use of the radio tower and transmitter building.

Motion was made by Mr. Faircloth, seconded and adopted without objection, that the Trustees authorize the lease to the Bureau of Law Enforcement.

HENDRY COUNTY - Central and Southern Florida Flood Control District requested issuance of perpetual spoil area easement containing 4 acres within the abandoned portion of Caloosahatchee River in Section 5, Township 43 South, Range 29 East, Hendry County.

In view of the public nature of the project, the Staff recommended waiver of the biological report from the Game and Fresh Water Fish Commission and approval of the request.

Motion was made by Mr. Dickinson, seconded and adopted without objection, that the Trustees authorize issuance of the perpetual easement requested by Central and Southern Florida Flood Control District.

TRUSTEES FUNDS - By letter of September 11, 1968, from the office

of Honorable Floyd T. Christian, Superintendent of Public Instruction, and attached resolution titled "A Resolution by the State Board of Education, Trustees of the Internal Improvement Fund, and Board of Trustees of South Florida Junior College", the Trustees were requested to approve a loan of $251,000.00 without interest to implement the construction cost of facilities for the South Florida Junior College in Avon Park, Highlands County. That amount represented additional funds needed above the lowest construction bid in order to retain matching federal and local funds. Said resolution was approved on this date in meeting of the State Board of Education.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize a loan from Internal Improvement Funds in the amount of $251,000.00, without interest, to the State Board of Education for the purpose as set out in the resolution to aid construction of South Florida Junior College at Avon Park.

TRUSTEES OFFICE - On September 3, 1968, the Secretary of State suggested that the matter of reference maps be considered with a view toward correlation for better utilization. On this date he asked Director Randolph Hodges of the Board of Conservation for a report on what would be required to get the records in order for the future.

Mr. Hodges stated that he had conferred with Mr. Rees Williams of the Trustees' Staff and was advised that with the new position granted by the Budget Commission on July 9 and the reactivation of one other position, they would be in a better position to take care of the matter.

However, Mr. Adams asked for more definite information as to when the program would be fruitful, and Mr. James Williams said a further report would be made to the Trustees.

SUBJECTS UNDER CHAPTER 18296

INDIAN RIVER COUNTY - Attorney John H. Sutherland on behalf of Donald D. Gold, William R. White and E. J. Vann, Jr., requested waiver of the usual regulations as to size limitation for the release of oil and mineral rights reserved in Indian River County Murphy Act Deed No. 528 dated July 16, 1945, for a 9½ acre, more or less, parcel of land in the NE¼ of NE¼ of Section 1, Township 33 South, Range 39 East, Indian River County, to be used as a site for a medical center building and parking area. Under statutory provisions, the whole area might not be considered a building site, but the Staff felt that for a consideration of $200.00, the State of Florida would be compensated for the oil and mineral interest.

Motion was made by Mr. Christian, seconded and adopted without objection, that the Trustees authorize release of the oil and mineral rights upon receipt of payment in the amount of $200.00.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

9-17-68

ATTEST: Ines Williams
STAFF MEMBER

* * * * * * * * *

Tallahassee, Florida
September 24, 1968

The Trustees of the Internal Improvement Fund met on this date in Senate Hearing Room 31 in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion by Mr. Conner, duly adopted, the minutes of the special hearing and regular meeting on September 17, 1968, were approved.

Consideration was given to the action taken last week at the special meeting on the report of the Interagency Advisory Committee on Submerged Land Management. Mr. Conner said there was confusion, many did not understand what the law was, that the Trustees did not set bulkhead lines, that it was not necessary to get a permit for certain work at the mean high water line, on upland property, which might be covered by local zoning regulations.

Mr. Conner expressed the opinion that while the Legislature was reviewing the law and until the Interagency Committee made its recommendations relating to the mean high water line, no sales of submerged land should be placed on the agenda except those of an emergency nature or for public use. He thought a professional determination would be forthcoming in the near future and the board would receive information to clarify the course to be followed. Mr. Conner further said that the Director should withhold any item dealing with submerged land not of an emergency or public nature.

Mr. Adams pointed out that the mean high water line matter was of great importance, was a part of the Trustees' resolution of May 21, 1968, calling for evaluation and review and asking the staffs of the several agencies to do certain things during a moratorium period. He said the language in the new constitution and in the philosophy adopted by the Trustees last week meant that the mean high water was to be the guide line. Any proposal to go beyond must have a very good reason and represent responsible development of our shoreline. Mr. Adams thought the best way to bring about an evaluation by the counties was to lift the moratorium and by actions rather than by words, require adequate justification. If the Staff felt it best to keep items off the agenda that would be fine.

Mr. Faircloth agreed that was intended by the action last week, that it was a philosphy of shoreline use by which the Trustees and the local authorities would be guided in setting bulkhead lines. However, in view of apparent confusion over what was intended by that language, he proposed a motion to clarify it and also pointed out that the Trustees already have administrative rules which encompass much of what was done last Tuesday.

Mr. Faircloth moved that the motion adopted by the Trustees in special meeting on Tuesday, September 17, 1968, relating to the Trustees' policy in establishing bulkhead lines in Florida, be rescinded, and that the following be adopted as the policy of the Trustees of the Internal Improvement Fund:

(1) That the Trustees approve and adopt basic recommendation number 1 of the Interagency Committee Report on Submerged Land Management, to wit, (1) Bulkhead lines should be located at the mean high water line except where the locations of lines farther offshore can be fully justified as being in the public interest.

(2) That this statement of Trustees' philosophy and the entire report of the Interagency Advisory Committee be transmitted to all county commissions, municipal officials and other local public bodies having initial authority in this regard, with the recommendation that these bodies use this report and the criteria set forth in the Trustees' printed administrative rule number 200-2.02 "Bulkhead Line Criteria", as amended by the Trustees on May 7, 1968, as guides in reviewing existing bulkhead lines and establishing new bulkhead lines within their jurisdictions; and

(3) That the moratorium on consideration of applications for bulkhead line changes, land sales and dredge permits be lifted <u>only after</u> each county, municipal or other local authority has reviewed its existing bulkhead lines in the light of these recommendations by the Trustees and the Interagency Advisory Committee and has submitted any proposed bulkhead line modifications under the lawful procedure provided in Chapter 253.122, Florida Statutes (the Randell-Thomas Act).

Governor Kirk said he liked the motion which was in keeping with what the Trustees did on May 14, 1968.

Mr. Adams said he would like to second the motion as to only the number (2) portion, that the Trustees knew what was intended last week and could apply it and did not need to change the language. Mr. Christian said he thought last week's action said the same thing and he agreed with Mr. Adams.

Mr. Christian made an amended motion that (1) and (3) be stricken from Mr. Faircloth's proposed motion and the Trustees adopt (2). Mr. Adams seconded this amended motion.

Mr. Christian, explaining his motion, said that the Trustees would act on each individual case by the motion and in the philosophy of last week, and he saw no reason to change the decision to lift the moratorium. Mr. Conner added that because of the confusion surrounding the subject, items would be withheld from the agenda or denied until the Legislative Committee reviewed current law and makes its recommendations and until the Inter-

agency Committee makes its judgment on the subject of the mean high water line, and makes some recommendations as to the relation of the mean high water line to conservation.

The Governor asked if it would be a stated or an implied moratorium. Mr. Christian said there would be some items which could be presented and considered, and Mr. Dickinson pointed out that the moratorium had affected only 9 counties. Mr. Dickinson also said that the Interagency Committee recommended establishment of bulkhead lines when the Trustees have no authority to set lines, only to recommend a guideline. Governor Kirk said the Interagency Committee recommended a philosophy, to set the bulkhead lines at the mean high water mark. Mr. Faircloth said he thought the first part of his motion clarified the philosophy.

Governor Kirk expressed approval of the first part of the motion proposed by Mr. Faircloth, but other members said that was already covered by the action the Trustees took last week.

The motion to amend the Attorney General's motion by striking the first and third parts was adopted on the following vote:

Aye - Mr. Conner, Mr. Adams, Mr. Williams, Mr. Christian and Mr. Dickinson.

No - Mr. Faircloth and Governor Kirk.

The second amendment proposed by Mr. Christian, that the Trustees adopt the second part of the Attorney General's motion, as follows, with the addition of "adopted September 17, 1968":

> (2) That this statement of Trustees' philosophy adopted September 17, 1968, and the entire report of the Interagency Advisory Committee be transmitted to all county commissions, municipal officials and other local public bodies having initial authority in this regard, with the recommendation that these bodies use this report and the criteria set forth in the Trustees' printed administrative rule number 200-2.02 "Bulkhead Line Criteria", as amended by the Trustees on May 7, 1968, as guides in reviewing existing bulkhead lines and establishing new bulkhead lines within their jurisdictions,

was seconded by Secretary of State Tom Adams.

Mr. Faircloth said it was not as complete as he would like, but he intended to vote for the amendment.

Mr. Williams said his position was that of a conservationist, that he would vote for the amended motion, but that he was against selling land or doing much of anything until the Legislature had studied this problem and gave us the proper law they intended for the Trustees to operate under to do the people's business. He said he would vote for emergency cases when it was in the public interest. He cautioned against any proposal to take people's property on which they had paid taxes for which the Trustees have no authority. He would call that to the attention of the Legislative committee and ask for authority to act properly. He asked the Staff to be sure that all items were screened very carefully.

Mr. Christian spoke at length, explaining his position. He said

there were obviously two sides, and from the point of view of the conservationists Florida had been too generous in the past with her natural resources with which he might be inclined to agree; but that he would disagree with the conservationists who felt that none of the shorelines, rivers, or other water areas should be dredged or filled. On the other side, he said, were those who felt that the conservationists were the largest, most militant and most uncompromising lobby in Florida, that bulkhead lines should be set by local authorities without being forced to follow policies at the state level, that the state should not violate contracts honestly entered into years ago for the sale of submerged lands, some of which were mud flats which had been improved by filling. He believed the Cabinet's action of September 17 served in the best interests of preserving natural resources and providing reasonable restrictions that can be used to protect the growth and prosperity of all Florida.

The Chairman called for a vote on the amended motion to adopt number (2), which was approved on a vote of six to one, with Governor Kirk voting "No".

Mr. Adams pointed out that there were already certain bulkhead lines which had been approved by the Interagency Committee, and that a moratorium would stop consideration even in those approved areas.

Mr. Faircloth noted that the first moratorium nearly two years ago was adopted to allow the Legislature to review the matter, and that they passed the Randell-Thomas Act which the Trustees' administrative rules tried to implement.

Mr. Dickinson mentioned the language in the proposed new constitution regarding the title to lands under navigable waters which have not been alienated, including beaches below mean high water lines, held by the state by virtue of its sovereignty. He said the Trustees welcomed the Legislature looking at this matter again and offered complete cooperation.

Attorney General Earl Faircloth offered the following resolution:

A RESOLUTION RELATING TO STATE SOVEREIGNTY (PUBLICLY-OWNED) LANDS (NO PRIVATE PROPERTY OWNERSHIP RIGHTS INVOLVED)

WHEREAS, the Trustees of the Internal Improvement Fund did on May 14, 1968, direct the Interagency Advisory Committee to "give top priority to identifying and designating certain coastal aquatic areas which, for biological or aesthetic reasons should not be sold under any circumstances, no matter what the momentary economic gain might be"; and

WHEREAS, the Trustees, on motion by the Attorney General, adopted without objection the proposal of the Secretary of State that the following five described areas become "permanent moratorium areas" or inviolate aquatic preserves if so recommended by the Interagency Advisory Committee:

1. Apalachicola Bay (Franklin and Gulf Counties) including all its arms and tributaries. This is one of the nation's richest seafood producing areas, and 90% of Florida's commercial oysters are harvested here.

2. Boca Ciega Bay (Pinellas County). Only one undisturbed area is left unspoiled of this once beautiful bay. It is bounded on the west by Tierra Verde and the Bayway,

on the north by Main Channel, on the east by Sunshine Skyway Channel, and on the south by Bunces Pass Channel.

3. Turtle Bay, Bull Bay, Gasparilla Sound, Cape Haze Area (Charlotte and Lee Counties). Preservation of the submerged land and numerous islands in this area would establish a good buffer between any future development to the north and the open waters of lower Charlotte Harbor. It is an area rich in marine life and a bird sanctuary.

4. Featherbed Bank in Lower Biscayne Bay (Dade and Monroe Counties). This shallow, grassy area harbors a rich and varied complex of marine life and supports a very popular sport fishery. It is recognized as perhaps the most productive region of lower Biscayne Bay.

5. Banana River (Brevard County). There is great pressure from commercial interests to fill in portions of this river and much damage already has been done. Therefore, all submerged land not conveyed or committed to development should be set aside as a preserve.

WHEREAS, the Trustees sometime ago established the sound precedent of setting aside as inviolate state preserves such aquatic areas as Estero Bay and dedications of other areas as aquatic preserves; and

WHEREAS, both public agencies and representatives of free enterprise, sports and commercial fishing, as well as the professional staffs of the Board of Conservation, the Florida Game and Fresh Water Fish Commission, the U. S. Fish and Wildlife Service and others have recommended additional aquatic preserves which will be necessary to sustain sport and commercial fishing and adequate conservation and recreation for increasing millions of new Florida residents and visitors;

NOW, THEREFORE, BE IT RESOLVED THAT:

(1) All state sovereignty lands in the following twelve described areas be and hereby are added to the five areas identified and designated on May 14, 1968, the entire seventeen areas to be dedicated as inviolate aquatic preserves of the State of Florida:

1. Indian River from Malabar to Sebastian, Brevard County
2. Mosquito Lagoon in connection with proposed National Seashore, Brevard and Volusia Counties
3. Indian River from Vero Beach to Fort Pierce, St. Lucie and Indian River Counties
4. Loxahatchee River and Hobe Sound from Jupiter Inlet to St. Lucie Inlet, Martin County
5. Mangrove Islands and adjacent submerged land on east side of Intracoastal Waterway at southern end of Jupiter, Palm Beach County
6. Nassau Sound, Duval and Nassau Counties
7. Matlacha Pass and Pine Island Sound, Lee County
8. Yellow River Marshes, Santa Rosa County
9. Cape Romano, Gullivan Bay, Ten Thousand Islands, Collier County
10. St. Martins Islands, Citrus County
11. St. Joseph Bay, Gulf County
12. Tomoka Marsh, Volusia County

(2) That the Interagency Advisory Committee, in continuing its county-by-county survey as directed by the Trustees, identify

and submit to the Trustees additional areas, both of salt water and fresh water, which should be considered for establishment of additional state aquatic preserves;

(3) That when the tidal benchmarks for the delineation of the line of mean high water have been established, the Interagency Advisory Committee is directed to determine and present for formal action by the Trustees the precise metes and bounds of the above and all other state aquatic preserves which shall be protected from sale, dredging or filling, or other disturbances of these irreplaceable natural resources which belong to all the people of Florida.

* * *

Before adoption of the twelve additional areas as inviolate aquatic preserves, Mr. Christian asked for time to review their locations. Mr. Adams said that the first five areas suggested on May 14 and referred to the Interagency Advisory Committee had not been reported on yet, and suggested that the above twelve additional areas be submitted to that Committee, also.

Director Randolph Hodges of the Board of Conservation, Chairman of the Interagency Advisory Committee, said the Committee had practically completed a review of the bulkhead lines in all the remaining coastal counties and would soon submit a report, after which they would turn their attention to the aquatic preserves.

Mr. Christian made a motion that the Attorney General's resolution be referred to the Interagency Committee for study and report back to the Trustees. Mr. Williams seconded the motion, which was unanimously adopted.

Director Robert Parker said that the agenda items were prepared last week in the light of the Trustees' action of September 17, since it was the Staff's understanding that those things reviewed and approved by the Interagency Advisory Committee were in order to be processed. Mr. Adams suggested that the Trustees proceed as matters were listed on the agenda.

BREVARD COUNTY - Bulkhead Line, Section 253.122. Presented for approval was a bulkhead line established by resolution of the Board of County Commissioners of Brevard County on May 29, 1968, located offshore from two islands in Newfound Harbor in Sections 25 and 36, Township 24 South, Range 36 East, and in Sections 30 and 31, Township 24 South, Range 37 East, Brevard County (known as Kiwanis Island). The line encompassed areas dedicated to the county by the Trustees in 1960 and 1962.

The Florida Board of Conservation biological report was followed in establishing the bulkhead line, which was recommended for approval by the Interagency Advisory Committee on Submerged Land Management interim report.

All required exhibits were submitted. At the local level there was an objection from Mr. F. W. Mohme, president of East Merritt Island Homeowners Association, Inc., unless the county would provide a minimum 100-foot channel between the two islands.

Mr. Adams asked how the line related to the mean high water, and the Director said it was close to shore, that the islands were more

or less mangrove islands and the mean high water was difficult to assess.

At Mr. Adams' request, action on the bulkhead line was held in abeyance for one week.

SARASOTA COUNTY - File No. 2019-58-253.12. Presented for consideration of confirmation of sale was the application by McClain & Turbiville on behalf of Per A. O. Scheutz and wife to purchase a 0.93 acre parcel of sovereignty land in Sarasota Bay in Section 24, Township 36 South, Range 17 East, in the City of Sarasota landward of the established bulkhead line. The biological report was not adverse and the application, placed on the agenda at the request of a member of the Board, was considered on August 13 and authorized to be advertised for objections only.

The applicant had advised that he would accept deed to the area subject to a drainage easement diagonally across the parcel in favor of the State Road Department. The appraisal was $18,000.00 per acre, based on a reduction estimated by the appraiser, R. E. Lowrey, Jr., M.A.I., because of the drainage easement. By memorandum of September 6 to Honorable Floyd T. Christian, copy to other Trustees, the Staff furnished information concerning the application and the appraised price.

Objections to the sale were filed by Wood Thompson Developments, Inc., Mrs. H. E. Mathisen and Mrs. Jeannie McElmurray, citing opposition to sale of sovereignty land to private owners, depriving the public of use of the land, and questioning the price. The parcel was riparian to applicant's upland property. Formerly right of way, the State Road Department had quitclaimed the parcel back to the Trustees since it was not needed.

Mr. Adams and Mr. Christian were not satisfied with the appraisal, Mr. Christian moving that action be deferred and two new appraisals be secured. Mr. Faircloth asked if the parcel could be used for public purposes, and questioned whether the Trustees wanted to sell. Governor Kirk felt that the drainage ditch might be moved.

Mr. Adams made a substitute motion, that the request for sale be denied. Mr. Faircloth seconded the motion, which was adopted without objection.

Mr. Peter Wood, who objected to the sale, said he concurred with the Trustees' action denying the sale, that the land was adjacent to land purchased by the applicant for a much higher price.

Mr. Dickinson commented that before the application was agendaed the applicant had agreed that there would be no construction on the parcel, the buildings being on land above the mean high water.

PALM BEACH COUNTY - File No. 2081-50-253.12. On March 12, 1968, the Trustees authorized advertisement for objections only of a 1.470 acre parcel of submerged land in Lake Worth in Section 28, Township 42 South, Range 43 East, City of Riviera Beach, landward of the established bulkhead line, for which the abutting upland owner, Robert F. Cromwell, offered the appraised value of $1,800.00 per acre. On April 22 on the motion to confirm the sale there were not five affirmative votes and the applicant was told to secure a waiver from the area planning group.

The Palm Beach County Area Planning Board reviewed the application and by letter of July 17 registered no objections to the processing of this application. The biological report of an area 250 feet southerly of the subject parcel stated that it was a heavily developed area and that sale and development would not adversely affect conservation values.

Mr. Christian said that the February 28, 1966, appraisal was not current, and moved that the application be taken off the agenda. Mr. Williams seconded the motion and the sale was denied, with Mr. Dickinson voting "No".

Governor Kirk said an appraisal two years old was unrealistic. Mr. Christian said he was not in favor of sales, since there had been so much criticism.

Mr. Christian clarified his motion as being to deny consideration until an up-to-date appraisal is made. There was no objection.

The Director asked what time limit would be reasonable for an appraisal to be current, and six months was suggested. The Attorney General said he would rather not look at an appraisal more than three months old.

Mr. Adams said it was appropriate at this point to say that the Director needed more help, there should be more staff members to investigate on-the-ground, to do the necessary mapping. He said the agency must be properly staffed to move in a consistent manner in keeping with the public interest of this state, and in the past the Director has had more than he could do. Mr. Christian and the other members concurred. Governor Kirk said it was a directive, that the Trustees had the funds and can do it.

CHARLOTTE COUNTY - File No. 2140-08-253.03 - Dedication. The Trustees on August 13, 1968, authorized advertisement for objections only of two abutting parcels of sovereignty land in Section 6, Township 41 South, Range 23 East, Charlotte County, in the Peace River lying within the City of Punta Gorda. The Board of County Commissioners of Charlotte County by Resolution No. 68-15 on August 2, 1968, had requested dedication for public purposes.

By virtue of Dedication No. 24437 dated December 14, 1966, the Trustees granted one parcel of sovereignty land containing 2.50 acres to the City of Punta Gorda for public purposes. The city had found it expedient to assign their interest in the 2.50 acres to the county and by Resolution No. 367 dated December 19, 1967, requested the Trustees to confirm the city's action and dedicate the 2.50 acres to the county.

The second parcel requested by Charlotte County, containing 2.65 acres, was not encumbered, and was to be combined with the parcel previously granted to the city to create a total of 5.15 acres of sovereignty land to be used for public purposes.

A bulkhead line was established and the biological report was not adverse to dredging and filling the tract. There were no objections to the notice of dedication.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees approved dedication of the two parcels containing a total of 5.15 acres, more or less, to the Board of County Commissioners of Charlotte County for public purposes.

CHARLOTTE COUNTY - File No. 2140-08-253.124, Fill Permit, and File No. 2140-08-253.123, Dredge Permit.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees also approved the fill permit issued by the City of Punta Gorda on June 4, 1968, under provisions of Section 253.124 Florida Statutes, to fill the above described 5.15 acres dedicated to Charlotte County for public purposes; and, also, the Trustees authorized issuance of dredge permit under the provisions of Section 253.123 Florida Statutes, to take 78,000 cubic yards of material from the approved dredging area to be deposited on the submerged land being dedicated, without charge for the material for the public project.

DADE COUNTY - Dedication. The Trustees, holder of title to the N½ and SW¼ of Section 20 and that portion of Section 21 lying westerly of the right of way of Levee L-28 in Township 52 South, Range 35 East, totalling approximately 780 acres, by virtue of Chapter 67-2236, Laws of Florida, amending Section 253.03 Florida Statutes, were requested by the Dade County Port Authority to dedicate said 780 acres without cost for airport purposes. The land lay within the 38 square mile area being acquired by the Authority for construction of a supersonic jetport.

Since the land was Board of Education land, with title now in the Trustees, consideration was scheduled for the meeting of that board on this same date. The Board of Education approved dedication for the jetport.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve dedication to Dade County Port Authority without cost for airport purposes, and that an appropriate instrument be drawn by the Attorney General.

DADE COUNTY - File No. 2094-13-253.12. The Jockey Club, Inc., Miami, Florida, abutting upland owner, applied to purchase 1.58 acres of submerged land in two separate parcels in Biscayne Bay in Section 32, Township 52 South, Range 42 East, landward of the established bulkhead line in the City of Miami, Dade County, for expansion of club facilities. An appraisal of June 6, 1966, valued the land at $3,317.10 per acre. The biological report was not adverse to sale of the parcels of submerged land.

Calling attention to the fact that the appraisal was two years old, motion was made by Mr. Christian, seconded by Mr. Williams and adopted without objection, that the application be denied until a new appraisal could be considered.

DADE COUNTY - File No. 2106-13-253.12. Application was made by M. B. Garris on behalf of Leo Witz, Trustee, to purchase 2.65 acres of submerged land in Section 11, Township 52 South, Range 42 East, being a portion of the old F. E. C. canal lying east of the relocated Intracoastal Waterway landward of the established bulkhead line in Dade County. Applicant offered $1,000.00 per acre, the value reported by an appraisal dated July 19, 1968.

The biological survey reported some ecological damage, however the Interagency Committee had approved the application. The applicants owned areas to which they had no access because the old channel

was no longer used and filling of the old channel area was proposed in order to complete the planned development.

Governor Kirk asked for more information.

Because of the adverse biological report, Mr. Williams moved for denial. There was no second to the motion. Mr. Adams then suggested that action be deferred until the Trustees had opportunity to be furnished additional information regarding the application. It was so ordered.

DADE COUNTY - File No. 2116-13-253.12. Danzil Liegerot on behalf of Dormal of La., Inc., a La. Corp., applied to purchase a parcel of sovereignty land in Biscayne Bay abutting uplands in Section 39, Township 54 South, Range 41 East, 0.31 acre, partially filled, in the City of Miami landward of the established bulkhead line in Dade County. The biological report was not adverse to sale and development of the small parcel.

Applicant offered $5,081.00 per acre, based on an appraisal dated February 14, 1966.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the application be denied until a new appraisal could be considered.

PALM BEACH COUNTY - File No. 2032-50-253.12. Brockway, Owen and Anderson on behalf of Frank L. Lash, et ux, abutting upland owner, offered the appraised value of $3,267.00 for a parcel of submerged land in Lake Worth in Section 3, Township 43 South, Range 43 East, landward of the established bulkhead line in the City of West Palm Beach, Palm Beach County. The biological report for that portion of Lake Worth, dated 1961 and 1963, was not adverse; and the Palm Beach County Area Planning Board by letter of July 17 enclosed a copy of minutes of their July 9 meeting showing that they registered no objections to the processing of this application. The application had been on the agenda on March 26, April 2, and on April 22 it was ordered to be referred to the Area Planning Board.

Mr. Adams made a motion that the application be deferred for two reasons, first, the November 24, 1967, appraisal should be brought up to date, and second, the biological report was not current. The motion was seconded by Mr. Christian and upon vote, adopted unanimously.

DADE COUNTY - Dredge Permit, Section 253.123. Metropolitan Dade County, Water Control Division, applied for a permit for installation of a 12-inch subaqueous water transmission main across the Intracoastal Waterway on the north side of the Rickenbacker Causeway in Biscayne Bay in Section 17, Township 54 South, Range 42 East, Dade County.

Staff requested waiver of the biological study as provided in Section 253.122(3)(a), Florida Statutes, since the public needs will be served by the water transmission main.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted

without objection, that the Trustees approve issuance of the dredging permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123. Sarasota Cablevision, Inc., applied for permit for installation of a submarine television cable across Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County.

Florida Board of Conservation reported no significant or adverse effects to marine life, habitats or fisheries from the proposed installation.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, that the Trustees approve issuance of the permit.

PINELLAS COUNTY - Dock Permit, Section 253.03. The Pinellas County Water and Navigation Control Authority issued to Mrs. W. J. Schenley of Treasure Island, Florida, and referred to the Trustees for approval, a dock permit in Boca Ciega Bay in Section 26, Township 31 South, Range 15 East, Pinellas County. All required exhibits, including $100.00 processing fee, were submitted for state commercial dock permit.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, that the Trustees authorize issuance of the dock permit.

MONROE COUNTY - Dredge Permit, Section 253.03. Fred P. Henning applied for permit to dredge material from land purchased from the Trustees in Deed No. 24710(1950-44) dated December 19, 1967.

The Florida Board of Conservation report upon which the sale of this submerged land was based indicated that the area contained no substantial marine resources to be protected or preserved.

The Director said that in order for the applicant to get a Corps of Engineers permit, he needed clearance from the Trustees.

Mr. Adams asked for deferment until he checked with the Staff on details of this application.

Without objection, the Trustees deferred action.

DADE COUNTY - Dredge Permit, Section 253.123. The Jockey Club of Miami, Florida, applied for permit to clean out an existing channel in Biscayne Bay in Fractional Section 32, Township 52 South, Range 42 East, Dade County. The applicant tendered check for $3,000.00 as payment for part of the material to be placed on upland property. The balance would be deposited in an approved spoil area.

The Florida Board of Conservation reported the proposed channel improvement project was in a portion of Biscayne Bay which had been heavily affected by previous dredge and fill operations, and the project should have little adverse effect on marine life of

the area.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, that the dredge permit be approved.

TRUSTEES FUNDS - The Board of Commissioners of State Institutions by letter of September 17, 1968, from Terry C. Lee, Coordinator, requested an advance of $15,000.00 from the Trustees to the Construction Division to pay for topographical surveys, foundation investigations, etc., at the site of the State Office Building to be constructed in Pinellas County at St. Petersburg, Florida. Repayment would be from the sale of revenue certificates expected within the next 60 or 90 days, this action having been approved by the Board of Commissioners of State Institutions at their regular meeting on September 17, 1968.

Staff of the Trustees recommended approval of an advance of $15,000.00 to the Construction Division of the Board of Commissioners of State Institutions in the form of a loan without interest, to be repaid within 90 days from date of the advance from proceeds of the sale of revenue certificates.

On motion by Mr. Christian, seconded by Mr. Conner and adopted unanimously, the Trustees granted the request for $15,000.00 advance without interest as recommended by the Staff.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
October 1, 1968

The Trustees of the Internal Improvement Fund met on this date in Senate Hearing Room 31 in the Capitol, with the following members present:

Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction

Robert C. Parker	Director

On motion duly adopted, the Trustees approved the minutes of the meeting of September 24, 1968, with the following comments by Mr.

Williams. Following the statements in the minutes as to his position on submerged land sales or filling, Mr. Williams said that he made the statement that any item coming on the agenda for the sale of land would receive a "no" vote from him unless it was in the public interest or there was some real emergency involved, and he wanted the staff to screen very carefully any applications to be presented to the Trustees.

BREVARD COUNTY - Bulkhead Line, Section 253.122. The Board of County Commissioners of Brevard County by Resolution adopted May 29, 1968, established a bulkhead line offshore from the mean high water line around two islands in Newfound Harbor in Sections 25 and 36, Township 24 South, Range 36 East, and in Sections 30 and 31, Township 24 South, Range 37 East, Brevard County, that previously were dedicated by the Trustees to the county for public purposes. The area was known as Kiwanis Island Park.

All required exhibits were submitted. At the local hearing there was an objection to the first proposed bulkhead line unless the county provided a minimum 100-foot channel between the two islands. The Florida Board of Conservation biological report was followed in establishing and locating the bulkhead line submitted for approval of the Trustees, which was a modification by the county of the first proposed bulkhead line. The Interagency Advisory Committee on Submerged Land Management interim report recommended the bulkhead line as established.

On September 24 at the request of Secretary of State Adams, the Trustees deferred consideration for one week.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the bulkhead line as established by the Board of County Commissioners of Brevard County on May 29, 1968, be approved.

MONROE COUNTY - File No. 502-44-253.12. On the basis of an adverse biological report from the Florida Board of Conservation by letter of June 19, 1968, on an area in which the "sawtooth" policy did not apply, the Staff recommended denial of sale of a parcel of submerged land in a tidal creek in Section 14, Township 66 South, Range 29 East, Big Pine Key, 16 acres, applied for by J. R. Matthews.

Staff requested authority to refund $50.00 of the application fee submitted by the applicant by check received May 29, 1968, and deposited June 4, 1968.

On motion by Mr. Williams, adopted unanimously, the Trustees denied the sale and authorized refund of $50.00 to the applicant because of the adverse biological report.

MONROE COUNTY - File No. 2095-44-253.12. On the basis of an adverse biological report from the Board of Conservation by letter of April 1, 1968, on an area in which the "sawtooth" policy did not apply, the Staff recommended denial of application for 1.30 acres of submerged land in the Bay of Florida in Section 23, Township 62 South, Range 38 East, Key Largo, Monroe County, applied for by

Karl O. Thompson of Key West, Florida.

Staff requested authority to refund $50.00 application fee submitted by the applicant by check received March 18, 1968, and deposited May 14, 1968.

On motion by Mr. Williams, adopted unanimously, the Trustees denied the sale, based on the adverse biological evaluation, and authorized refund of $50.00 application fee to Mr. Thompson.

MONROE COUNTY - File No. 2097-44-253.12. Based on the adverse biological report from the Florida Board of Conservation by letter of March 11, 1968, on an area in which the "sawtooth" policy did not apply, the Staff recommended denial of application for 2.30 acres of submerged land in Sacarma Bay in Section 29, Township 66 South, Range 28 East, Cudjoe Key, Monroe County, applied for by James D. Young of Groveport, Ohio.

Staff requested authority to refund $50.00 application fee submitted by the applicant by check received March 18, 1968, and deposited May 24, 1968.

On motion by Mr. Williams, adopted unanimously, the Trustees denied the sale, based on the adverse biological evaluation, and authorized refund of $50.00 application fee to Mr. Ycung.

MONROE COUNTY - File No. 2114-44-253.12. On motion by Mr. Williams, adopted without objection, the Trustees ordered withdrawn from the agenda the application by Walter Trandel, et ux, for purchase of 2.70 acres of submerged land in the Straits of Florida in Section 15, Township 66 South, Range 32 East, Boot Key, Monroe County. The Board of Conservation report was adverse and Staff recommended denial; however the attorney for the applicant, Mr. William J. Roberts, had requested deferment of consideration.

BROWARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. J. B. Henderson, as manager and representing the Port Everglades Authority, Port Everglades, Florida, applied for a permit to allow deepening the existing channel from minus-32 feet MLW to minus-38 feet MLW from the turning basin south to the south end of Berth No. 27, to provide a temporary berth for the passenger ship "Queen Elizabeth". All material removed would be deposited upon the upland owned by the applicant, behind dikes to prevent or minimize siltation.

Staff requested waiver of the biological study as provided under Section 253.123(3)(6) Florida Statutes, for this project involving deepening an existing channel.

Mr. Williams said this was a private enterprise project. Mr. Adams noted that the spoil would be placed on upland areas and not on open water spoil areas.

On motion by Mr. Faircloth, adopted without objection, the Trustees approved issuance of the permit for channel deepening.

MONROE COUNTY - Dredge Permit, Section 253.03. On September 24 the Trustees, at the suggestion of the Secretary of State, deferred action on an application from Fred P. Henning for permit to dredge material from land purchased from the Trustees in Deed No. 24710 (1950-44) dated December 19, 1967.

On this date at the request of the Office of the Governor, the Trustees on motion by Mr. Williams, adopted without objection, deferred action.

MONROE COUNTY - Dredge Permit, Section 253.03. Holiday Isle, Inc., represented by Bailey, Mooney, Post Associates, Inc., applied for permit to dredge a boat basin and deposit the material upon submerged lands owned by the applicant.

The Florida Board of Conservation reported that the proposed boat basin, fill area east of the basin, and lagoon were largely unvegetated and that development of those areas should not have significant adverse effect on the marine life of the area.

Mr. Adams called attention to comments on the Board of Conservation letter of April 29 regarding a grassy area, which the Director stated had been deleted from the application on the agenda and that the application as presented would not have significant adverse effects. Mr. Kenneth D. Woodburn, called upon for comment, said that was correct.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the dredge permit for the areas recommended by the Staff and approved by the Board of Conservation.

COLLIER COUNTY - On August 13, 1968, the Trustees authorized advertisement for sealed bids for a five-year oil and gas drilling lease covering all of Section 2, Township 47 South, Range 28 East, 640 acres, more or less, in Collier County, upon request by Joseph G. Heyck. Legal notice was published in the Tallahassee Democrat and Collier County News pursuant to law, calling for bids to be opened at 10:00 A. M. on this date, with the right reserved by Trustees to reject any and all bids.

Section 2 is an unsurveyed section which might be covered by a portion of Lake Trafford. As the exact location of the lake could not be determined without an on-the-ground survey, Staff recommended that all bids be rejected and no lease issued. Mr. Heyck was advised of the situation and has agreed to pay all costs in the event a lease was not issued.

Mr. James T. Williams, Staff Member, opened the only sealed bid, which was a "no bid" from Mr. Heyck.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees deny any bid and no lease be issued on this area which might transgress into the Corkscrew Wildlife Sanctuary.

FRANKLIN COUNTY - Florida Power Corporation requested an easement for electrical transmission lines right of way to serve the Oceanographic Laboratory site of Florida State University at Turkey Point in Franklin County. The Board of Regents approved

issuance of the easement, to be 14 feet wide running through a tract of land containing 8 acres, more or less, within fractional Section 35, Township 6 South, Range 3 West, Franklin County.

On motion by Mr. Christian, adopted without objection, the Trustees approved the easement requested by Florida Power Corporation.

PALM BEACH COUNTY - The Central and Southern Florida Flood Control District requested a perpetual easement in a 350-foot wide strip of land containing 233 acres in Sections 12, 13, 14, 23, 26, 27 and 34, Township 44 South, Range 39 East, Palm Beach County, to serve as a buffer strip between Conservation Area No. 1 and a tract of land recently leased by the Trustees to S. N. Knight & Sons, Inc., for agricultural purposes.

Attention of the Board was called to the language desired by the Central and Southern Florida Flood Control District, as follows: "Any part or the whole of the right, privilege, use and easement herein granted may be assigned by the grantee herein for the purposes above described at its own option and sound discretion without approval of the grantor herein." The Staff raised the question whether or not the Trustees should abdicate their responsibility with respect to assignments. Mr. Adams suggested that the proposed wording be amended to require that the Trustees approve any assignment.

Motion was made by Mr. Dickinson, seconded by Mr. Christian, that the Trustees grant the request of the District for the perpetual easement subject to the provisions that the Trustees approve any assignment and that the wording be changed to show "....with approval of the grantor herein", the instrument to be approved by the Attorney General. The motion was unanimously adopted.

TRUSTEES' FUNDS - On December 21, 1954, the Trustees approved a loan of $200,000 without interest to the City of Pahokee for construction and erection of a breakwater in Lake Okeechobee to protect existing port facilities and boats, barges and other watercraft. The loan was to be repaid at the rate of $10,000 per year from funds derived from operating revenue from the port and from cigarette tax revenue received by the city.

On September 27, 1966, the Trustees granted the city's request for a moratorium on payments for the years 1966 and 1967 conditioned upon the city resuming payments of $10,000 per year commencing December 1, 1968. The present balance on the loan is $93,594.04 on a total amount of $193,594.04.

On September 24, 1968, letter was received from Senator Jerry Thomas of the 35th District, enclosing Resolution No. 10-68 adopted by the City of Pahokee on September 10, 1968, requesting the Trustees to reduce the annual payments from $10,000 per year as provided for in the agreement entered into between the city and the Trustees on March 29, 1955, to $5,000 per year. The resolution pointed out that certain statutory limitations are now in effect which limit the millage the city can impose, and the city indicated that it would work an undue burden on the city to make annual payments in the amount of $10,000 per year to liquidate this outstanding balance.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, that the Trustees grant the request for reduction of annual payments to $5,000 per year on the loan agreement between the Trustees and the City of Pahokee, Florida.

CABINET SUBCOMMITTEE REPORT - The Conservation Subcommittee met with the Mean High Water Committee on September 25, 1968, to discuss the recommendations submitted by the Mean High Water Committee to the Trustees of the Internal Improvement Fund by memorandum of September 5, 1968. The Subcommittee, composed of Attorney General Earl Faircloth, Commissioner of Agriculture Doyle Conner, and the Secretary of State as Chairman, made the following recommendations which were read by Chairman Tom Adams:

1. The Subcommittee recommends to the Trustees of the Internal Improvement Fund that $250,000 in funds held by the Trustees, be set aside to be used by the Mean High Water Committee to accomplish the purpose for which it was created. Said funds will be disbursed when requested on action of the Trustees.

2. The Subcommittee recommends that the Mean High Water Committee be urged to move with deliberate speed in preparing a permanent uniform set of standards for the use of professional land surveyors and engineers in determining methods of establishing mean high water.

3. The Subcommittee recommends that the Director of the Trustees meet with the Director of the Data Processing Management Board to discuss and determine possible use of State-owned computer equipment in processing data determination of the mean high water line. The Director of the Trustees will report periodically on these discussions.

4. a. The Subcommittee recommends that the Trustees direct the staff of the Trustees to develop a program and cost estimate for photogrammetric interpretation of the mean high water data, for the seaward perimeter of the State of Florida.

b. The Subcommittee further recommends that the Trustees request the Director to inform the Trustees of what size staff would be needed to maintain and update this aerial photography.

5. The Subcommittee recommends that no action be taken to amend the State Laws or define legally the mean high water line. At this time, the determination as to what laws should be changed and in what manner, should not be taken until the work of the Mean High Water Committee in establishing criteria is completed.

6. Since the creation of the Mean High Water Committee, no authorization has been given for payment of travel, per diem, or incidental expenses incurred by members of the Committee in the discharge of their official responsibilities. Therefore, the Subcommittee recommends that the Trustees authorize that payment be given to reimburse and pay future expenses out of the Trustees fund to Committee members for travel and per diem expenses and any other incidental expenses determined essential to the work of the Committee in the performance of their official duties.

7. The Subcommittee recommends that the Trustees create the positions of Executive Director and a Secretary to coordinate the activities of the Mean High Water Committee.

With reference to number 2, Mr. Adams said standards might be completed by May of 1969 but between now and then, there would be adequate information available to enable surveyors and engineers to begin to make such determinations very soon. As to 4a, this was now being done in some counties, it would be a great value for all the state, and the cost could be included in the total amount of $250,000. Regarding number 7, it was apparent, Mr. Adams said, that this mean high water was the key determination in the whole bulkhead line matter, and the committee would have to have a minimal staff. All would be properly placed on a subsequent agenda.

In further explanation, Mr. Adams said that the true mean high water in very irregular shoreline areas, bays and small indentations would be unrealistic as bulkhead lines and conservation interests confirmed the fact that bulkhead lines should conform to the general shoreline. Also, the slope of a beach might be so gentle that one-tenth of a foot variation in the elevation of a benchmark could cause a difference of as much as fifty feet in the location of the mean high water on that beach.

It is well known historically and geodetically, Mr. Adams advised, that there is fluctuation over the years and to set bulkhead lines inflexibly at the mean high water is an unrealistic position to take, and lines would have to be constantly adjusted back and forth to conform to the law. This should reassure the Cabinet, he added, that the language adopted in the action taken was proper, that mean high water should be the point of reference from which bulkhead lines should be established. The benchmarks, or monuments, will be fixed and based upon the reference points the Trustees will approve bulkhead lines based upon the advice of the Interagency Advisory Committee and the best professional advice they could get.

After discussion, motion was made by Mr. Faircloth and unanimously adopted, that the Trustees receive the report of the Conservation Subcommittee.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, duly adopted, the Trustees approved Report No. 939 listing one corrective deed, County of Dade Deed No. 2560-Cor. to Karl H. Breitrick and George Harry Miller, issued in lieu of a deed to Mary V. Miller who was deceased on the date of the original deed bearing date of October 30, 1944, to correct the name of the grantee.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * * * * * *

10-1-68

Tallahassee, Florida
October 15, 1968

The Trustees of the Internal Improvement Fund met on this date in Senate Hearing Room 31 in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved minutes of the meeting of October 1 and authorized the addition to minutes of September 17 of the list of "Statements for the Record" which were submitted at the hearing on that date.

Comptroller Fred O. Dickinson, Jr., made a motion that the Trustees, in compliance with the request recently made by the Legislative Subcommittee on Bulkheads, defer taking action on sales of submerged lands and approval of the dredge and fill permits for a period of not less than two months nor more than three months pending completion of the Subcommittee's hearings and deliberations. The only exception to the deferment would be cases of dire emergency or relating to public projects.

REASONS:

1. Compliance with the Subcommittee's request is not only a matter of courtesy between coordinate branches of government but consistent with Cabinet action in many previous cases where the Legislature and the Cabinet have cooperated in the interest of the public.

2. The 2-3 months provision in the motion is consistent with the Subcommittee's time table.

3. The Subcommittee's request and this motion is consistent with the Cabinet's position in previous meetings of September 17 and 24, 1968, in which the Cabinet recognized policies to be used in considering bulkhead lines which can only be set by cities and counties. The Cabinet has already directed Mr. Parker of the I. I. Board to withhold placing on the agenda all applications relating to this matter, except in cases of dire emergency or public projects.

4. The above policies have been distributed to the affected cities and counties and they now have the freedom of movement to review and revise their bulkhead lines, if desired, and submit them to the Trustees for appropriate action.

Mr. Christian seconded the above motion by the Comptroller, which was adopted unanimously.

Later in the meeting Mr. Dickinson said that a letter, just opened, from Representative J. Lorenzo Walker, a member of the Legislative Subcommittee on Bulkheads, enclosed a copy of the resolution of the Florida Legislative Council Committee on Beaches and Shoreline Erosion adopted by the full committee on October 10 which stated that the committee would continue its study and make appropriate report and recommendations. The resolution called for local government entities to review and, if possible, to establish and to reset bulkhead lines. Mr. Dickinson said it appeared from the resolution and letter that what the Trustees had done was consistent with the thinking of the Legislature, more particularly, with the committee involved in this area.

Attorney General Earl Faircloth made a motion that whenever "moratoriums" on Trustees' consideration of proposed sales, dredging or filling of submerged lands are lifted, the Director of the Internal Improvement Fund be instructed to prepare, submit to the Trustees and make available to press and public Advance Agenda of any proposed establishment or change in bulkhead lines and proposed sales two weeks prior to the date on which the Trustees are formally to consider these matters, such two-weeks advance public notice to be coordinated with but in addition to legal advertising provisions of Chapter 253 Florida Statutes as amended by Chapter 67-393, Acts of 1967.

The motion was seconded by Mr. Dickinson and adopted unanimously.

Mr. Dickinson suggested an area which he hoped the Legislature would re-examine, and in response to question of the Governor, said he would write a note to the Legislative Committee suggesting that they look at the statutes requiring the three-step procedure of a citizen, city or county making an application, the preliminary hearing, publication of notice, and then the final consideration when the matter comes back to the Trustees for final rejection or approval. He said it seemed to lead on applicants, when there was no way for them to know the outcome until the final step.

Memorandum from the Treasurer requested that the following statement be placed in the minutes.

> It is with much regret that I cannot attend the Trustees meeting today, but as State Fire Marshal, I am opening this morning the statewide Fire Prevention Conference in Miami.
>
> As stated at previous Trustee meetings, my position will be to vote NO on any proposed sale or fill of submerged land unless it is in the public interest or a real emergency exists.
>
> I concur in the resolution adopted this morning calling for a moratorium on land sales, dredge and fill permits pending completion of the Legislative Subcommittee's deliberations.
>
> However, it is my feeling that this restriction should be continued beyond the 90 day limit expressed in the resolution. It should continue until the Legislature meets and resolves the issue.

Honorable Haydon Burns, former Governor of Florida, presented his views with reference to submerged lands and establishment of bulkhead lines, emphasizing the orderly development of the shoreline as necessary to progress.

MONROE COUNTY - Dredge Permit, Section 253.03. The application of Mr. Fred P. Henning, deferred previously at the request of members, was considered. Mr. Henning applied for permit to dredge material from the westerly 200 feet of land purchased from the Trustees in Deed No. 24710(1950-44) dated December 19, 1967. The Florida Board of Conservation report upon which sale of the submerged land was based indicated that this westerly 200 feet contained no substantial marine resources to be protected or preserved.

The Director said the applicant, in the rock mining business, wanted to use the land as a source of material for road building and related purposes, but that he did not have sufficient information to establish that this was an emergency case. The Governor called on Mr. Nathaniel P. Reed, who said the applicant had indicated that he would be out of business without the permit. He said the details of the emergency should be presented to the Board.

At the suggestion of the Governor, the Trustees deferred action pending presentation of further information justifying issuance of the permit as an emergency case.

MONROE COUNTY - Dredge Permit, Section 253.03. Mayor William Kerlin on behalf of the City of Key Colony Beach applied for permit for a sewer outfall and sewage force main subaqueous crossing in Section 5, Township 66 South, Range 33 East, Monroe County. The Air and Water Pollution Control Commission had no objections, and Staff requested waiver of biological study as provided under Section 253.12(3)(a) Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the permit to the City of Key Colony Beach.

OKALOOSA COUNTY - Dredge Permit, Section 253.123. Southeastern Telephone Company of Fort Walton Beach applied for permit to install a submarine cable across Rocky Bayou in Sections 10 and 15, Township 1 South, Range 22 West, Okaloosa County. Staff requested waiver of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of permit as requested.

OKALOOSA COUNTY - Dredge Permit, Section 253.123. Gulf Power Company, Pensacola, Florida, applied for permit to install a 12 KV submarine cable across Garnier Bayou in Section 6, Township 2 South, Range 23 West, Okaloosa County. Staff requested waiver of biological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need will be served.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the permit be authorized.

VOLUSIA COUNTY - Dredge Permit, Section 253.123. Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permit to install a submarine cable across the Halifax River

south of the Carlton Blank Bridge at Daytona Beach in Sections 8 and 38, Township 15 South, Range 33 East, Volusia County. Staff requested waiver of biological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need will be served.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the permit be authorized.

HIGHLANDS COUNTY - A dredge permit applied for by Withers and Harshman, Inc., was withdrawn for further study.

VOLUSIA COUNTY - Dredge, Dock Permits, Section 253.03. Florida Board of Parks and Historic Memorials applied for permit to dredge a boat basin and construct docks and a boat ramp in the St. Johns River adjacent to Hontoon Island State Park in Section 35, Township 17 South, Range 29 East, Volusia County.

The Florida Game and Fresh Water Fish Commission reported favorably on the project. All required exhibits were furnished and Staff recommended waiver of the processing fee for the facility to serve the public.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the permits to the Board of Parks and Historic Memorials be authorized without charge.

PINELLAS COUNTY - Dock Permit, Section 253.03. The Board of County Commissioners of Pinellas County applied for permit to construct four docks adjacent to the County Park on Belleair Beach Causeway in Clearwater Harbor. All required exhibits were furnished and Staff requested waiver of the $100 processing fee since the structures would serve the public.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that issuance of the permit be approved.

PINELLAS COUNTY - Dock Permits, Section 253.03. The Pinellas County Water and Navigation Control Authority approved and submitted to the Trustees the following applications for commercial dock permits:

1. Mr. and Mrs. Ralph Bellamy of St. Petersburg Beach, Florida, to construct a dock in Boca Ciega Bay in Section 7, Township 32 South, Range 16 East;

2. Vinyard Industries, Inc., St. Petersburg, Florida, to construct covered boat slips in Boca Ciega Bay in Section 3, Township 32 South, Range 16 East.

All required exhibits, including $100.00 processing fee for each, were submitted and the Staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, that state commercial dock permits be issued to the two applicants.

WAKULLA COUNTY - Dock Permit, Section 253.03. Florida Board of Parks and Historic Memorials applied for a permit for construction

of a swimmers floating dock in the Dead River at Ochlockonee River State Park in Section 31, Township 5 South, Range 2 West, and in Section 36, Township 5 South, Range 2 West, Wakulla County.

All required exhibits were furnished and Staff requested waiver of the processing fee for the dock facility for the park.

Motion was made by Mr. Dickinson, and adopted unanimously, that issuance of the permit be approved without charge.

MONROE COUNTY - File No. 2141-44-253.12. Pursuant to the settlement recommended by the Attorney General and adopted by the Board on July 30, 1968, relative to the Bernie C. Papy, Jr., matter and involving Charley Toppino & Sons, Inc., insofar as the 26.6 acre over-fill at Summerland Key by Summerland Key Cove, Inc., is concerned, corrected surveys were received showing that the area of over-fill was 44.42 acres. The Staff proceeded to secure an appraisal from Alan G. Schmitt, Registered Real Estate Broker of Marathon Shores, Florida, which reported the value to be at the rate of $325.00 per acre, which was lower than the $425.00 per acre offered by Summerland Key Cove, Inc.

Staff advertised the area for sale in the Key West Citizen at the price of $425.00 per acre, as accepted by Summerland Key Cove, Inc. On the advertised sale date, October 8, 1968, there was no meeting of the Trustees and the matter was placed on the agenda for consideration on this date. Two objections were received from parties who did not appear to understand that the area was already filled and access channels excavated. Staff did not feel that they were valid objections, as the filling was already accomplished.

Attorney General Faircloth said it was a follow-up of the settlement recommended to the Cabinet and approved. In response to Mr. Christian's question, Mr. T. T. Turnbull, Assistant Attorney General said that now was the time to complete the transaction rather than go to court, that the Board had agreed on the price offered or the appraisal. The amount offered was higher than the appraisal. Mr. Christian said that since it was in the nature of a fill for which the state would obtain proper funds, he moved that the sale be approved.

On the motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees overruled the objections and confirmed sale of the 44.42 acre tract of sovereignty land at the price offered by Summerland Key Cove, Inc.

BREVARD COUNTY - The State Road Department applied for temporary easement covering two dredging areas, (1) in the Indian River in Section 17, Township 24 South, Range 36 East, and (2) in the Banana River in Section 18, Township 24 South, Range 37 East, containing a total of 88.16 acres in Brevard County. The easements would terminate October 1, 1972, and were required as a source of material for the construction and maintenance of State Road No. 528, Section 70070-2511.

Biological report dated September 30, 1968, from the Board of Conservation showed that water depths in both areas were generally greater than minus-six feet mean low water, and the proposed dredging should not have significant adverse effect on marine life of the area.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted without objection that temporary easement be issued to the State Road Department.

BREVARD COUNTY - The State Road Department applied for temporary easement covering a dredging area in the Indian River in Section 14, Township 27 South, Range 37 East, 9.6 acres in Brevard County, to terminate September 1, 1972. The area was needed as a source of material for the construction of State Road Nos. S-3 and S-3-B, Sections 70590-2604 and 70670-2603.

Biological report dated September 30, 1968, from the Florida Board of Conservation showed the water depths to be greater than minus-five feet mean low water and the proposed dredging would not have significant adverse effects on the marine life of the area.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, that the temporary easement be issued to the State Road Department.

BROWARD COUNTY - The Board of County Commissioners of Broward County by resolution adopted October 1, 1968, requested perpetual dedication of a 30-foot wide strip by approximately 120 feet in length over the bottoms of New River Sound in Section 24, Township 50 South, Range 42 East, for the construction of a footbridge to provide public access between two parcels of land owned and maintained as a public park by Broward County. No dredging or filling would be required and therefore, a biological survey was deemed unnecessary.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, that the Trustees authorize perpetual dedication of the area requested for the footbridge.

INDIAN RIVER COUNTY - The State Road Department requested right of way dedication of 8.26 acres, more or less, of submerged land in the Indian River in Section 27, Township 31 South, Range 39 East, Indian River County, for the purpose of constructing a new bridge to replace the existing Wabasso Bridge across the Indian River and the Intracoastal Waterway on State Road 510. The Staff recommended dedication subject to and subordinate to the existing Intracoastal Waterway right of way.

The Florida Board of Conservation offered no objection from a biological standpoint to the project.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, that right of way dedication be issued as requested by the State Road Department.

MARTIN COUNTY - The State Road Department requested right of way dedication of 7.8 acres, more or less, of submerged land in the St. Lucie River in Section 17, Township 38 South, Range 41 East, Martin County, for improvement of the existing bridge and maintenance of the new structures on State Road 714, Section 89090-2505.

The Florida Board of Conservation indicated no objection to the dedication.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and

adopted without objection, that right of way dedication requested by the State Road Department be authorized.

MONROE COUNTY - File No. 2156-44-253.129. On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of a disclaimer under the provisions of Section 253.129 Florida Statutes, covering a parcel of sovereignty land, now filled, lying in the Bay of Florida in Section 9, Township 66 South, Range 32 East, Key Vaca, Monroe County, containing 1.44 acres filled prior to May 29, 1951. Application was made by Ernest J. Hewett, attorney, on behalf of Ethel B. Thompson, Executrix, and $10.00 handling charge was submitted.

OKEECHOBEE COUNTY - The Central and Southern Florida Flood Control District made application for (1) deed conveying title to a parcel of reclaimed lake bottom land in Lake Okeechobee in Section 6, Township 38 South, Range 36 East, Okeechobee County, under Structure 191(C-59) containing 6.20 acres, and (2) a right of way easement over bottoms of said lake in the same Section 6, extending southwesterly from the parcel in (1).

As the 6.20 acre parcel in (1) is within the right of way for Levee 47 and Levee D-4, both of which were constructed under easement granted by the Trustees, the Staff recommended that the advertising formalities be waived, and that the deed and right of way easement be approved.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees granted the request of the Central and Southern Florida Flood Control District for deed and right of way easement.

PINELLAS COUNTY - To further the City of Treasure Island Segment of Pinellas County Beach Restoration Project, the Public Works and Engineering Department on behalf of the United States of America requested (1) construction easement for the project area lying seaward of the mean high water line of the uplands in the City of Treasure Island in Township 31 South, Range 15 East, Pinellas County; (2) easement covering two borrow areas in the open waters of the Gulf of Mexico and Blind Pass in the same location necessary for the source of material for said beach restoration; and (3) easement covering two areas for pipe line construction.

The Board of Conservation biologists surveyed the dredging and beach nourishment areas and offered no objections to the proposed project from the conservation standpoint.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the requested easements.

ST. LUCIE COUNTY - The Department of Agriculture requested issuance of an easement 15 feet wide to the City of Fort Pierce for the installation of a 6-inch water line across a portion of the Fort Pierce State Farmers Market in the SW¼ of Section 27, Township 35 South, Range 40 East, St. Lucie County.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, that the request for easement be granted.

VOLUSIA COUNTY - File No. 2155-64-253.12(6). Mr. Roy E. Kinsey, on behalf of Helen W. Zimmer, Trustee, applied for conveyance under the provisions of Section 253.12(6) Florida Statutes (1967), of a parcel of sovereignty land in the Halifax River in Section 34, Township 15 South, Range 33 East, Volusia County, containing 0.042 acre filled subsequent to May 29, 1951, and prior to June 11, 1957. Applicant offered the appraised value of $300.00 per acre or a total of $12.60 for the parcel, being the appraised value of the submerged land as it existed prior to filling.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, that the Trustees authorize issuance of the instrument required by the Statutes.

WASHINGTON COUNTY - Easement, Chapter 253.03. Washington County requested ten-foot wide easement for the purpose of widening a county road along property being used by the Agricultural Extension Service of the University of Florida in conducting the Florida National Egg-Laying Test. The property is located in the North Half of Section 1, Township 4 North, Range 13 West, Washington County, immediately East of the existing county road. The easement was approved by the Board of Regents.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees granted the request for easement.

ST. LUCIE COUNTY - On January 25, 1966, the Trustees dedicated two tracts of submerged land in the Indian River in Section 10, Township 35 South, Range 40 East, to the City of Fort Pierce, the abutting upland owner, for public municipal purposes with provision that dedication might be terminated in the event the city failed to maintain and use the land for three consecutive years. The city for the past year had been rebuilding and modernizing its present marina property adjacent to the dedicated areas, and upon completion of the present work during 1969, the city planned to commence construction on phase two involving the area dedicated in 1966.

The city, through its attorney, Spencer B. Gilbert, requested an extension of an additional three years in which to comply with the provision requiring use and maintenance of the dedicated land, comprising approximately 17.3 acres. Based on the good faith showing of the city in its present marina improvement project, the Staff recommended extension of the dedication for an additional three years.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees granted the request of the City of Fort Pierce for extension for three years additionally.

In the absence of Secretary of State Tom Adams, Chairman of the Cabinet Conservation Subcommittee, the Trustees deferred consideration of the recommendations submitted by said Subcommittee on October 1, 1968, with respect to the Mean High Water Committee report.

PALM BEACH COUNTY - The Area Planning Board of Palm Beach County by letter of September 23, 1968, requested continuation of the moratorium with respect to submerged lands in Palm Beach County approved by the Trustees in response to their letter of April 12, 1968. That board is in the process of making a comprehensive program of planning which includes a shore line study, and they indicated that a realistic appraisal of projects for Palm Beach County is their goal. The Director suggested that the Trustees might wish to secure comment from the Area Planning Board on any applications to purchase, dredge and fill before final action is taken by the Trustees.

On motion by Mr. Dickinson, adopted unanimously, the Trustees recognized the request as consistent with the action they had taken on this date and approved the suggestion.

SHELL LEASES - The Trustees accepted as information for the record the following report of income received by the Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$7,762.86
1788	Benton and Company	8,963.32
2233	Bay Dredging & Construction Co.	6,647.28

ESCAMBIA COUNTY - Exchange. The Board of County Commissioners of Escambia County and the Santa Rosa Island Authority by deed dated November 10, 1964, conveyed to the State Board of Education a 124-acre tract of land on Santa Rosa Island for the use and benefit of the Board of Control in connection with the University of West Florida.

The Santa Rosa Island Authority and the University of West Florida have agreed that it would be mutually bebeficial to exchange the 124-acre parcel for another tract of 175 acres located on Santa Rosa Island approximately 10 miles to the east. The Authority and Escambia County have formally agreed to the proposed exchange.

The Board of Regents on September 27, 1963, approved the exchange and requested the Trustees to issue appropriate deed reconveying the 124-acre tract in exchange for a deed from the Authority conveying the 175-acre parcel to the Trustees.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and Mr. Christian, and adopted, that the Trustees grant the request for the exchange by issuance and acceptance of appropriate deeds.

ORANGE COUNTY - Agreement. The Board of Regents requested that the Trustees enter into an agreement with the United States Post Office Department for the operation of a mall-type self-service postal unit on the campus of Florida Technological University, in Orange County, Florida. The agreement was similar with others entered into on other university campuses, was approved as to form and legality by the Attorney General, and the Board of Regents had agreed to assume all responsibility with respect to the proposed facility.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized entering into the agreement.

SARASOTA COUNTY - The city charter of the City of Venice authorizes the city boundary to be enlarged upon petition of owners of property contiguous to the existing city limits. The existing city limits border on the shoreline of the Gulf of Mexico along the westerly extremities, and under provisions of the charter the Trustees, as owners of submerged land of the Gulf, are authorized to petition the City Commission to annex certain areas of the Gulf into the city limits. By Resolution No. 119 of September 18, 1968, the City Council submitted formal request for the Trustees to petition the city to annex a 1000-foot wide strip, bounded on the north by the centerline of Casey's Pass, on the east by the mean high water line of the Gulf of Mexico, and on the south by the south city limit line, extended, of the submerged bottoms of the Gulf as shown by a map referred to as Exhibit "A" attached to the petition for annexation of contiguous property to the City of Venice.

The annexation of this area of submerged land would enable the owners of property located adjacent to this strip of submerged land to petition the city for annexation of their properties and thus would permit the city to extend water and sewer service and other municipal services applicable to areas in the city limits. A similar request was submitted in July of 1965, was referred to Attorney General Earl Faircloth for review, and upon his advising that he could see no valid legal objection to compliance with the request of the city to petition for annexation of the described land owned by the Trustees, on July 27, 1965, the Trustees did approve that request.

In recognition of the benefits that would accrue to the private property owners involved, and the police protection that would be afforded to the open waters of the Gulf of Mexico that would be included within the area annexed, Staff recommended that the request be approved by the Trustees. The Director said there was no desire to press the matter but just to process it at the request of the City of Venice.

Representative J. K. Tillman of Sarasota, Florida, said he was called by a group of citizens to appear and ask that the Trustees temporarily delay action on the petition because the City Commission had given no formal notice of this matter.

Mr. Christian said there should be some hearing back in the City of Venice, that there apparently was lack of understanding.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that no action be taken and the matter be sent back to the City of Venice.

TRUSTEES' FUNDS - On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized the State Board of Administration to reinvest in like securities the funds of the Trustees now in short-term U. S. Treasury bills in the amount of $559,000 par value, maturing on October 17, 1968.

TRUSTEES' FUNDS - Capitol Center Property Acquisition. Mr. Paul Turner, Executive Director of the Capitol Center Planning Committee, advised that

(1) Mrs. James Ezell, owner of Lots 49 and 50 on West Blount Street in Tallahassee, Florida, indicated willingness to sell her

property to the State of Florida for $13,000 which price was less than the present appraised value of the lots; and

(2) Mr. Nathaniel Harrison, owner of Lot 47 at 214 Blount Street, Tallahassee, Florida, offered to sell said lot for $12,000 which was within the appraised value based on appraisal secured from W. H. Cates, Tallahassee, Florida, received in the Trustees' office on October 8, 1968.

Staff reviewed the two proposals and in view of the facts set forth, recommended release of Trustees' funds for making the acquisition of capitol center property.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, that Trustees' funds be released in an amount of $13,000 and $12,000 for making acquisition of the above described property in the capitol center.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved Report No. 940 listing six regular bids for sale of land in Escambia, Hamilton, Levy and Walton Counties under provisions of Chapter 18296, Acts of 1937, the Murphy Act.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
October 22, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction

Robert C. Parker	Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on October 15, 1968.

MONROE COUNTY - File No. 2141-44-253.12. Brought up for further discussion was the sale, approved last week but subsequently processing was held up at the direction of the Governor, of 44.42 acres at Summerland Key in Monroe County to Summerland Key Cove, Inc. The sale of an overfill area was part of a settlement which had been approved by the Trustees on July 30, 1968.

Secretary of State Tom Adams said his objection was anything but an indictment of the Trustees' Staff which about a year ago had called attention to apparent irregularities in fill activities in the Keys. He had questions in his mind and had felt that the matter should be deferred, which he thought was accomplished at the staff meeting on Friday, October 11, 1968. He reviewed the matter of unauthorized dredging by the Papy interests and the work some 20 miles away on Summerland Key, the latter which he said he did not realize was involved although it was in the written report furnished to the members and approved in July. He was alarmed at the indication that the state was not being properly reimbursed for the fill material dredged by Papy, said to be worth a quarter-million dollars but the Trustees had received only some $8,000 for the half that had been hauled off so far; and he protested that the land at Summerland Key appraised at $325 per acre, for which the Toppino interests had offered $425 per acre, was already developed and was worth $12,000 per acre. The Trustees on October 22 took action when he was not present at that meeting.

Attorney General Faircloth said he had been in the case since the last of 1967, had informed the Cabinet every step along the way, and while he would not have chosen to explain the legal basis of the recommended settlement because it probably would help Mr. Toppino's case in the event the matter should go into litigation, in view of the unfavorable press comments and the implication that a swindle was involved, he must speak. He said that on October 11 his representative offered to call Assistant Attorney General T. T. Turnbull to answer any questions, but other staff representatives had said it was not necessary; and the Director would have removed the matter from the agenda on request of any Cabinet member - which he did not receive.

Mr. Faircloth said that the name of Mr. Toppino got into the Papy dredge and fill matter as the man doing the dredging for Mr. Papy, but that controversy had nothing to do with the issue before the board of the Summerland Key Cove, Inc., sale. The Papy matter was settled on the basis of 11¢ per cubic yard, and it was unfortunate that the Toppino purchase was covered in the same report because they were not related by any legal circumstances at all. When Mr. Toppino had applied to purchase the land around Summerland Key which he had filled, certain legal rights arose, the staff went down and found an overfill that, however, did not go beyond lines of a survey accepted by the state (now determined to be inaccurate), the policy of the Trustees was not to penalize upland owners who filled in front of their property, which in this case had taken place prior to the effective date of the Randell Act, in Monroe County - specifically exempt from that Act.

Mr. Faircloth discussed the three alternatives and the one recommended to the Trustees and approved on July 30. The LoBean decision might have applied in this case, the fill material was free to Mr. Toppino under the law and policy of the state, in July the Trustees had not repudiated the values for which Monroe County state lands were sold. The settlement fixed a price for

the over-fill (to be surveyed to get correct acreage) at $425 per acre or a new appraisal, whichever was the greater. A registered real estate broker in Monroe County, which had no MAI appraiser, reported the value of $325 per acre as the highest and best use less the cost to develop. The appraisal was in the record; the appraiser had furnished other appraisals for the Trustees. Mr. Faircloth said that the court would require use of the value of the submerged land prior to filling. As a lawyer, he recommended the settlement, said there was no relationship between the Papy and Toppino matters, that the latter had a strong case of equity.

Mr. Adams replied that it would have been better if the two matters had been reported separately and not confused, and Mr. Faircloth agreed. Mr. Adams questioned whether the Trustees should continue to handle after-the-fact matters, and again expressed his dissatisfaction with the proposed sale price for the Summerland Key land.

Called on for comment, Mr. Turnbull said the Attorney General had adequately stated the facts and the law, that the Legislative committee in its investigation had found no criminal intent and no reason to take action on the Papy dredging. He brought out that part of the dredging was on Mr. Papy's own property for which he had a permit, that the Trustees were getting 11¢ a cubic yard for only that dredged from state land. Mr. Christian recalled that he was told at the July 30 meeting that it was a fair price for the state.

Mr. Conner and Mr. Christian asked several questions regarding the value of the fill material and the appraisal. Mr. Turnbull said the Staff was justified in relying on the appraisal and he felt justified in making the recommendation based on it. Mr. Adams said it appeared to him that someone was making too much profit on the land now filled and said to have a $705,000 existing value.

On the suggestion of Mr. Conner, the Board directed that the staff report next week on the Papy fill matter and whether there has been proper payment and accounting.

Replying to question of the Governor, Mr. Conner said that the subcommittee investigating the Randell charges and the reply of the Director to the charges, was not ready to report, having been requested by Mr. Randell for an opportunity to make a rebuttal which the committee was reviewing and the committee was awaiting further information from Mr. Randell.

Mr. Adams suggested that since there appear to be discrepancies as to value, surveys, accounting, the Summerland Key sale be held up for further investigation. Governor Kirk said it was being held up at his request. It was agreed without objection.

Mr. Christian said the Trustees acted in good faith, but he would not be opposed to re-examination of the appraisal or any other part of the transaction. The Governor said the Trustees would abide by the advice of the Attorney General and would operate in compliance with the law.

With further reference to Monroe County, Mr. Adams said he had taken some photographs of dredging operations in the Keys which might be legitimate activities but he would like them investigated. Later in the meeting in connection with the Henning

application, the Staff was requested to make a report on the areas in the photographs.

BREVARD COUNTY - Bulkhead Line. Mr. Lee Wenner, Chairman of the Board of County Commissioners of Brevard County, Commissioners Leon C. Stomire and George King, Jr., requested consideration by the Trustees, as an emergency in the public interest, of a bulkhead line in the Indian River in Sections 19 and 20, Township 26 South, Range 37 East, and in the Banana River in Sections 21 and 22, Township 26 South, Range 37 East, Brevard County, which was unanimously adopted October 17, 1968, by the county for Pineda Causeway and bridges. Mr. Wenner said they were trying to comply with all rules and regulations, that validation of the bond issue would come up on Friday, and that the proposed new state constistution posed problems. He said it was a 40-year bond issue for the project which was endorsed by the various Chambers of Commerce, was also in the interest of Orange County, the State Road Department agreed to dredge material from deep areas outside vegetated flats, and that the line enclosed only the land required by the Road Department for control purposes. The Trustees asked a number of questions and on motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the rules were waived to allow consideration of the application.

The Director pointed out that the biological report was adverse, but for a road project in the public interest the Staff would recommend overruling the report.

Mr. Christian said he was in favor of the project, but the spoil should be taken in a way to minimize damage to marine life.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the bulkhead line established by Brevard County on October 17, 1968, subject to dredging being done in approved dredge areas to minimize any damage to conservation values.

BREVARD COUNTY - Dedication. The Board of County Commissioners of Brevard County by Resolution adopted October 3, 1968, applied for dedication by the Trustees for public park and recreational facilities of a 461.6 acre tract of swamp and overflow land in Township 24 South, Ranges 36 and 37 East, title to which is now vested in the State of Florida by U. S. Patent dated July 24, 1968. (Information was that only 426.06 was available, 35.62 acres having been dedicated previously as Kiwanis Island park, and 80 acres being in Citrus County.)

Staff recommended dedication with the usual reversion clause in the event the land or any part thereof is not used for such purpose or is not used for a period of five years, and that the county be held responsible for any Flood Control District taxes or other legitimate taxes on the land.

County Commissioner George King, Jr., said the area had been unsurveyed and unmeandered, on request it was surveyed, registered and selected by the State of Florida under the Swamp Act to become state sovereignty lands, and that the area should be kept by Brevard County for conservation and recreation areas for the many citizens living in that concentrated area. He said any development of nature trails, etc., would be done with the cooperative planning of the Board of Conservation or Outdoor

Recreational Development Council.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the tract be dedicated with the provisions as recommended by the Staff and set out above.

BREVARD COUNTY - Perpetual surface easement. The Central and Southern Florida Flood Control District made application for surface easement over 2451.12 acres of swamp and overflow land in the Lake Washington area in Township 27 South, Range 36 East, title to which is vested in the State of Florida by U. S. Patent dated August 8, 1967. The area would be subject to being permanently or intermittently flooded as a result of the works of the District.

The Director said that Mr. G. E. Dail, Jr., Executive Director of the District, had requested deferment of this matter.

It was so ordered.

MEAN HIGH WATER REPORT - On October 1, 1968, the Trustees received, and there was copied into the minutes of that date, the report of the Cabinet Conservation Subcommittee which made seven (7) recommendations to the Trustees of the Internal Improvement Fund.

Consideration of the recommendations with respect to the Mean High Water Committee report was scheduled for this meeting.

Secretary of State Tom Adams, Chairman of the Subcommittee, which also included Attorney General Earl Faircloth and Commissioner of Agriculture Doyle Conner, said that it was appropriate to bring the matter before the Cabinet for action as soon as possible, since the development of criteria to determine mean high water and establishment of necessary bench marks were critically needed. He felt that this work called for the development of some staff without further burdening the Trustees' office which already had its hands full.

The Director commented on his memorandum to the Trustees of October 18, 1968, which stated that one of the objectives of the Mean High Water Committee was to secure the installation of some 65 new bench marks at strategic point throughout the coast line to enable registered land surveyors and engineers to prepare surveys for private upland owners showing the line of mean high water, and that it had been the historic function and responsibility of the U. S. Coast and Geodetic Survey to establish these bench marks. All of the present markers have been installed by and under their supervision, based on sea level datum secured from installation and monitoring of tide gauges in the areas where the markers have been established.

The Director on October 10, 1968, at a conference with U. S. Coast and Geodetic Survey department heads and officials in Rockville, Maryland, was advised that due to a recent cutback in the federal budget that agency would be unable to provide any assistance either in man power or in equipment or matching funds to implement the installation of additional bench marks.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve and adopt the recommendations of the Cabinet Conservation Subcommittee with

respect to the Mean High Water Committee which were presented to the Trustees on October 1, 1968.

OKALOOSA COUNTY - Artificial Reef, Section 253.03. Application was made by Greater Fort Walton Beach Chamber of Commerce for a permit for the construction of an artificial reef in the Choctawhatchee Bay off Black Point near Shalimar, Florida, in thirty-seven (37) feet of water. The reef will be approximately one acre in size and located at 30° 25' 26" North Latitude, 86° 33' 45" West Longitude, with a minimum clearance of 22 feet mean low water.

Florida Board of Conservation reported that the reef should provide productive bay fishing, particularly when bad weather prevents angling in the Gulf of Mexico. The Trustees' Staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the Trustees authorize issuance of an artificial reef permit to Greater Fort Walton Beach Chamber of Commerce for the usual $50.00 fee.

MANATEE COUNTY - Dredge Permit, Section 253.123. Manatee County Highway Department applied for permit to dredge a channel in Palma Sola Bay at the mouth of the Palma Sola Creek in Section 6, Township 35 South, Range 17 East, for the purpose of improving drainage from the creek, which is one of the major drainage systems in the county. Material removed will be placed behind adequately diked upland areas on the bay side of Palma Sola Road.

Staff requested waiver of the biological study as provided by Section 253.123(3)(a), since the public need will be served.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that the Trustees grant the request from Manatee County for a dredge permit.

BREVARD COUNTY - Dredge Permit. Section 253.123. Florida State Road Department applied for a permit to remove 300,000 cubic yards of material from the Indian River in Section 17, Township 24 South, Range 36 East, and to remove 290,000 cubic yards from the Banana River in Section 18, Township 24 South, Range 37 East, to be used for the construction and maintenance of State Road No. 528, Section 70070-2511. The Trustees on October 15, 1968, granted temporary easements for these two dredge areas to the State Road Department.

The Florida Board of Conservation report showed water depths in both areas generally greater than minus-6 feet mean low water, and the proposed dredging should not have significant adverse effect on marine life of the area.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, that the permit requested by the State Road Department be approved.

MARTIN COUNTY - Dredge Permit, Section 253.123. Florida Power and Light Company of West Palm Beach, Florida, applied for permit to install a submarine electric cable crossing the South Fork of

the St. Lucie River in Martin County, 290 feet north of State Road No. 714 in Section 17, Township 38 South, Range 41 East.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) since the proposed installation will serve the public need.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved issuance of the dredge permit to Florida Power & Light Company.

MONROE COUNTY - Dredge Permit, Section 253.03. On September 24, October 1 and 15, the Trustees deferred action on the application to Fred P. Henning, Kings Point, Stock Island, Florida, to dredge material from the westerly 200 feet of the land purchased from the Trustees in Deed 24710(1950-44) dated December 19, 1967.

The Florida Board of Conservation report, upon which the sale of submerged land was based, indicated that this westerly 200 feet contained no substantial marine resources to be protected or preserved.

Representative Charles J. King of Fort Lauderdale, Florida, was present to speak on behalf of the applicant. It was a routine matter, he said, on land owned by the applicant, and action by the Trustees was required because the U. S. Corps of Engineers needed to be satisfied that the State of Florida had no objection before issuance of the Corps permit for dredging on land which he said had no significant value for preservation of natural resources.

Mr. Dickinson commented that under the provisions of Section 253.03 the Trustees have overall jurisdiction of sovereignty land, that the title to this parcel is now in Mr. Henning but the Corps of Engineers is looking to the Trustees to clear the state's interest, to waive objections with respect to the submerged parcel.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, that the permit be issued to Mr. Henning.

It was understood that Mr. Henning would use the area for mining rock material. Governor Kirk asked for information as to other mining operations and the Director said that this and Mr. Toppino's were the only two the office had knowledge of, but the Staff would check further and would be glad to receive the list and photographs of some type of operations in Monroe County noticed recently by the Secretary of State and find out if they were in order.

POLK COUNTY - Dredge Permit, Section 253.03. An application from J. R. Paul for dredging canals in Lake Streety in Polk County was deferred for further checking with respect to the recommendations from the Florida Game and Fresh Water Fish Commission.

DREDGING NAVIGATION CHANNELS - Policy. The Bulkhead Section of the Trustees Office had several applications for permits to dredge new navigation channels in locations where the biological reports indicated no adverse effects to marine resources from the proposed work. The Staff requested direction from the Board as to whether the moratorium now in effect was applicable to such private

applications for permits to improve navigation.

The Director said he was uncertain whether navigation channels were to be included with the sales, dredge and fill and bulkhead matters which, under the Comptroller's motion on October 15, were to be deferred for a period of not less than two nor more than three months except for emergencies and public projects, or might be placed on the agenda. He mentioned a project in West Florida related to beach nourishment where a navigation channel would be very helpful to people there. He advised the Trustees that the applicants had paid $100.00 for the biological reports which were not adverse.

Mr. Christian said he thought the moratorium would include the dredging of channels, and it was the general feeling of the members that the applications be withheld from the agenda until lifting of the moratorium.

PINELLAS COUNTY - Dock Permit, Section 253.03. On motion by Mr. Christian, duly adopted, the Trustees authorized issuance of two state commercial dock permits which had been approved and submitted by Pinellas County Water and Navigation Control Authority, as follows:

1. Ken Mar Enterprises Corporation, St. Petersburg Beach, Florida, to construct a dock in Boca Ciega Bay in Section 6, Township 32 South, Range 16 East, Pinellas County.

2. Leeco Gas & Oil Co., St. Petersburg, Florida, to construct a dock in Boca Ciega Bay adjacent to Lot 9, Bayway Isles Subdivision in Township 32 South, Range 16 East, Pinellas County.

SARASOTA COUNTY - Dredge Permit, Section 253.123. Florida Power & Light Company of Sarasota, Florida, applied for permit to install a submarine distribution cable across Sarasota Bay from Coon Key to the mainland in Sections 13, 23, 24 and 26, Township 36 South, Range 17 East, Sarasota County.

Waiver of the biological study as provided under Section 253.123 (3)(a) Florida Statutes, was requested, since the public need will be served by the work.

On motion by Mr. Christian, seconded and adopted without objection, the Trustees approved issuance of the permit.

SUWANNEE COUNTY - Disclaimer. On February 4, 1859, the W½ of the SW¼ of Section 9, Township 5 South, Range 13 East, Suwannee County, was approved to the State of Florida for the use and benefit of the Pensacola and Georgia Railroad Company under Act of Congress of May 17, 1856. No instrument was issued by the United States or the State to the railroad under the Act evidencing passage of title, other than reference on a list on file in the State Land Office, certified by the United States indicating passage of title from the United States to the railroad.

Examination of the Suwannee County public records did not disclose a conveyance of the W½ of SW¼ of Section 9 out of the railroad to other parties, and Mr. Donn Gregory, an attorney representing

the record owner of this parcel, requested issuance of an ex parte disclaimer from the Trustees of any interest arising out of the grant by the United States to the railroad in 1859.

The request was reviewed and approved by the office of the Attorney General. Staff recommended issuance of the disclaimer for $10.00 handling charge.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and Mr. Christian, and adopted without objection, that ex parte disclaimer be issued for $10.00 charge.

DADE COUNTY - Duplicate deed. On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a duplicate of Trustees' Deed No. 24424(1909-13) dated November 21, 1966, to Nathan Cynamon, for a handling charge of $10.00 to replace the original instrument which was lost prior to recording in the public records.

SUBJECTS UNDER CHAPTER 18296

REFUNDS - Murphy Act. On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized refund in the amount of $10.00 each to the following two applicants for release of the state road right of way reservation contained in Murphy Act deeds, for the reason that the State Road Department declined to recommend release of the reservations:

DeSoto County Murphy Act Deed No. 91 - Arcadia Abstract and Title Company, Inc., applicant.

Hillsborough County Murphy Act Deed No. 4231 - Title Insurance Agency of Tampa, Inc., applicant.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR - SECRETARY

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Tallahassee, Florida
October 30, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker Director

At the request of the Secretary of State, the minutes of the meeting held on October 22, 1968, were held in abeyance for checking with the transcript.

Reporting to Governor Kirk on the Cabinet Subcommittee which was investigating the Randell charges and the response of the Director, Commissioner Doyle Conner said all members had been asked to furnish any information that they had for review by the subcommittee, that the parties would probably ask to be heard by the full subcommittee on a date to be decided, and that the staff had been meeting extensively on the matter.

The Governor said he did not think there was anything more needed from Mr. Randell, and indicated that the report was expected this week. Mr. Conner said there was additional information to be checked by the subcommittee which could not make its final report yet.

QUARTERLY REPORT - The Trustees received the Quarterly Report of operations of the office of the Trustees of the Internal Improvement Fund for the quarter ending September 30, 1968, submitted by the Director in response to requirements of Rule 13 of the Rules and Regulations of the Florida Cabinet.

DADE COUNTY - The Director requested approval by the Trustees of the matter which was presented and approved on this date by the Board of Conservation with respect to the application by 5445 Collins Corporation to dredge offshore from Miami Beach in borrow areas 1,000 to 1,500 feet offshore from the established harbor line in the ocean to secure material for beach nourishment. Board of Conservation memo dated October 30, 1968, from Mr. K. D. Woodburn to the Director of Beaches and Shores, Mr. W. T. Carlton, reported that said borrow areas indicated no significant adverse effects. Mr. Parker said that the correct legal description would be furnished for the dedication of the borrow area.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the Trustees approve dedication of the borrow area offshore from the Hilton Plaza Hotel which is constructed on Lots 233 to 237 both inclusive, First Ocean Front Subdivision, Plat Book 9, Page 78, Public Records of Dade County, Florida.

Governor Kirk asked about the reported thirteen illegal fills in the Florida Keys and the Director said he had submitted a report to each member before the meeting on this date on the ten photographs furnished by the Secretary of State. Mr. Adams called attention to the work "illegal" which he had not used; he only had asked the staff to check the areas to see whether they had been authorized. The photographs had been checked from the maps and records in the Trustees' office but not on the ground, most of them appeared to be upland development, one was an authorized sand lease, some pictures covered the same parcel of land, but the comments in the report as to several of the photographs indicated no record of a dredge permit, possible encroachment by a breakwater, and that one was on Upper Matecumbe Key in an area where the Trustees had recently denied a sale of

submerged land. The staff was unable to identify one location from the photograph.

The Director said it was not known whether the operations had occurred prior to the effective date of the Randell Act or the names of the owners, which would aid in investigation. The Governor asked why there had not been on-the-ground inspection. Mr. Adams felt that the considerable amount of activity in the Keys should be looked into, and the Director explained that the Board of Conservation officers did check and report those going on without permit to the staff which ordered the dredgers to stop.

Director Randolph Hodges said frequently the officers find that the dredgers don't have their permit on the site, and in the questioning that followed it was brought out that the only administrative rule of the Trustees requiring a permit on the site was for issuance of a permit under Chapter 253.123 which was not applicable in Monroe County (excluded by law from provisions of the Bulkhead Act).

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that an emergency administrative rule be adopted requiring a state permit to be on the site of all dredging or dredge-fill work on sovereignty submerged lands.

LAKE COUNTY - Dredge Permit, Section 253.03. Application was presented from Charles M. Pool, President of Inland Groves Corporation of Clermont, Florida, for permit to remove 2,000 cubic yards of material from Lake Minnehaha in Government Lot 6, Section 26, Township 22 South, Range 24 East, Lake County, to place on upland property. Applicant tendered $100.00 as payment for the material.

The Florida Game and Fresh Water Fish Commission reported favorably, subject to certain stipulations as to the dredging.

Treasurer Broward Williams moved that the application be disapproved. After a brief discussion, and no second to the motion, Mr. Christian made a motion, seconded by Mr. Faircloth, that the application be approved.

Mr. Williams said he voted no because he thought such applications for dredging in lakes should be withheld while there were investigations going on, that they should be included in the state-wide moratorium as well as tidal waters, until the Legislature had given the Trustees guidelines. Mr. Conner also thought it should fall within the moratorium, unless it was an emergency.

Mr. Christian said this was not a sale of public lands, that it was recommended by the Game and Fresh Water Fish Commission, and he thought it was the kind of improvement that the cabinet should approve.

The Director said it had not been construed previously that the moratorium covered such fresh water lakes applications, but the staff would hold up lake applications if the Board desired.

The application for lake material failed to be approved on the following vote:

Ayes: Messrs. Kirk, Faircloth and Christian
Nays: Messrs. Williams, Conner and Adams.

HIGHLANDS COUNTY - Florida Game and Fresh Water Fish Commission reported that Sun'n Lakes Estates, developers of uplands around Lake Grassy, were conducting a dredge operation in that lake. On-site inspection by a staff member found an extensive draglining operation had taken place and the operation was stopped pending receipt of a state permit. Florida Game and Fresh Water Fish Commission, in response to an application for permit, revisited the site and found most of the fill material had been spread out - some on what appeared to be state land and the rest on applicant's upland. Applicant's engineer was advised by telephone and by letter the areas of probable encroachments on state land.

On October 17, 1968, the site was again visited. The contractor, Whitaker Bros., was continuing the draglining work and told the field investigators that Mr. L. N. Weisser, President of Highlands County Title and Guaranty Company, developers of Sun'n Lakes Estates, told him the matter was cleared up and they had a permit. The investigators asked the contractor to stop until a permit was in hand.

The Director, replying to the Governor's questions, said the staff had made several inspections in the past three or four months in an attempt to get the dredging stopped and the material which had been pushed out on state land pulled back onto the upland.

Mr. Faircloth was authorized by the Trustees to take the necessary steps to protect the state's interest, on motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously.

BREVARD COUNTY - By Deed No. 19204 dated September 26, 1946, the Trustees conveyed fee title to the State Road Department covering right of way across the submerged bottoms of the Indian River for construction of causeway approaches and bridge for State Road No. 119, now State Road No. 402, by an instrument carrying the following covenant: "It is expressly agreed by the parties hereto as a condition to this conveyance that the State Road Department shall have no right or authority to sell, lease or encumber the above described property without the written consent of said Trustees or their joinder in any such sale, lease or encumbrance."

The State Board of Conservation now wishes to relocate their local field office and radio tower on a portion of the causeway near the easterly end on a site containing 0.46 acre in Section 35, Township 21 South, Range 35 East, Brevard County. The Staff recommended that the Trustees consent to such use of the parcel.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees consented to use of the parcel for the purpose requested.

DUVAL COUNTY - Southern Bell Telephone and Telegraph Company requested 20-foot wide road right of way easement 172 feet long, over a portion of the Florida Forest Service Headquarters site near Dinsmore in Section 27, Township 1 North, Range 25

East, Duval County. For access to a new facility Southern Bell needed the road right of way, which will also benefit and has been recommended by the Florida Forest Service.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the easement without cost to Southern Bell Telephone and Telegraph Company for access to the new company facility.

VOLUSIA COUNTY - Staff requested authority to issue corrective deed for the purpose of correcting a typographical error in the lot number in description in Trustees Deed No. 20672 dated June 7, 1954, to Ralph Owens et ux of Volusia County. On August 27, 1962, Mr. Owens died and subsequently the surviving spouse, Mary Owens, conveyed the land and other property to Floyd Leo Anderson et ux by a conveyance carrying the same erroneous Lot 2, instead of Lot 7. Therefore, the corrective deed should be issued to Floyd Leo Anderson, et ux.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the corrective deed without charge.

SARASOTA COUNTY - Mr. I. W. Whitesell, Jr., attorney, on behalf of Mr. and Mrs. Frank L. Parker, requested refund of money representing consideration at the rate of $100 per acre paid for 2.18 acres of submerged land in Lemon Bay in Sections 9 and 16, Township 40 South, Range 19 East, as described in Deed No. 21265 and conveyed by action of the Trustees on June 26, 1956. The lands conveyed encroached in their entirety upon submerged lands previously conveyed in Trustees Deed No. 21042 dated October 7, 1955, to Florence U. Lord, grantee. As a result of the conveyance by Deed 21042 the Trustees had no lands to convey as described in Deed 21265; therefore, title has failed and under provisions of Section 253.29 Florida Statutes the Trustees have authority to refund purchase money, without interest.

On motion by Mr. Faircloth, seconded by Mr. Williams, approved without objection, the Trustees authorized issuance of warrant in the amount of $218.00 as refund of purchase money for the land described in Trustees Deed No. 21265.

TRUSTEES' MINUTES - Printing. Pursuant to authorization on August 20, 1968, the invitation for bids, as reviewed and approved by the Purchasing Commission, was duly advertised and the following two bids were received for printing and binding 150 copies of Volume 36 of the minutes of the Trustees of the Internal Improvement Fund for the period from July 1966 through June 1968:

Rose Printing Co., Tallahassee, Estimated total $4,319.00	$6.17 per page
St. Petersburg Printing Co. Estimated total $5,481.00	$7.83 per page

It was noted that the low bid amount was less than the cost of printing the preceding volume, $6.75 per page.

On the motion by Mr. Adams, seconded by Mr. Williams, the Trustees accepted the low bid from Rose Printing Co. for printing and binding Volume 36 of Trustees' minutes.

Secretary of State Tom Adams said he would like to furnish to the Board some additional information developed by his office on the Summerland Key unauthorized filling matter, which was presented as a written statement dated October 30, 1968.

Mr. Christian said that in view of the evidence prepared by the Secretary of State, and his understanding that the Governor had said there would be no issuance of deed on Summerland Key, he felt that the members should have an opportunity to review the matter.

Attorney General Faircloth said he had just been handed the latest statement of the Secretary of State, that he was tired of trying this case every Tuesday before the Trustees and the public, and if the Governor would hold up that deed he intended to bring suit in the proper court for declaratory judgment action involving Mr. Toppino and Summerland Key Cove, Inc., to determine the rights of the State of Florida and the other parties involved, and he intended to enjoin the Secretary of State as a party.

Mr. Adams assured him that his effort had been only to get all the facts, and he would be pleased to submit anything he had access to.

Mr. Christian made a motion that the minutes reflect the position of the Trustees, that there will be no transfer of the deed until the Summerland Key matter was completed. Mr. Faircloth seconded the motion which was adopted without objection. Mr. Christian explained that the Director had no written request in the file from the Governor regarding holding up the deed.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 5, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

11-5-68

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion by Mr. Adams, seconded and duly adopted, the Trustees approved minutes of the meetings of October 22 and 30, 1968.

The Interagency Advisory Committee on Submerged Land Management will present Report No. 2 on "A Proposed System of Aquatic Preserves" to the Trustees for their consideration on November 12, 1968. At the suggestion of Mr. Christian, the Trustees decided to begin the cabinet meeting at 9:30 A.M. on that date to allow time for presentation of the report, which will be acted on at a later meeting.

COLLIER COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Power and Light Company of Sarasota, Florida, applied for permit for installation of a submarine distribution cable crossing Gordon Pass in Sections 21 and 28, Township 50 South, Range 25 East, Collier County. Since the public need will be served by the cable, Staff requested waiver of the biological study as provided in Section 253.123(3)(a) Florida Statutes.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of the permit.

DUVAL COUNTY - Dock Permit, Section 253.03 Florida Statutes. Seagraves Service Center, represented by Harbor Engineering Company of Jacksonville, Florida, applied for a permit to construct a dock in the Ortega River in Section 42, Township 3 South, Range 26 East, Duval County. The dock would replace an existing dock that has to be removed to permit construction of a high rise bridge crossing the Ortega River adjacent to the existing dock facilities. All required exhibits, including $100 processing fee, were submitted.

Motion was made by Mr. Williams, seconded by Mr. Christian and Mr. Adams, that the Trustees authorize issuance of the state commercial dock permit.

PALM BEACH COUNTY - Dock Permit, Section 253.03, and Dredge Permit, Section 253.123, Florida Statutes. The Continental Con-Dev Company, represented by Mr. Charles D. McClure, made application for permit to construct four docks and to dredge a boat basin and navigation channel offshore from Ibis Island in Lake Worth in Section 14, Township 44 South, Range 43 East, Palm Beach County, for which all required exhibits and $100 processing fee were submitted.

The application, placed on the agenda at the request of the Honorable Fred O. Dickinson, Jr., State Comptroller, was approved by the Area Planning Board of Palm Beach County, the Florida Board of Conservation, and the Town of Lantana advised that they had

authorized applicant to deposit the dredged-out material on the Town's trash dump. The Director explained that the material would be placed temporarily on a strip of land owned by the Town of Palm Beach with the town's approval, then hauled to the Lantana landfill area.

Governor Kirk asked whether there would be a profit made from hauling away the material or whether the state could make a charge for it. The Director explained that there might be costs involved in hauling the material, but that it would be placed on city-owned property which would benefit the Town of Lantana.

Motion was made by Mr. Christian, and seconded by Mr. Adams, that the Trustees approve the application. Mr. Williams voted "No" on the motion which passed on a vote of four to one.

ST. LUCIE COUNTY - Beach Erosion Control. The St. Lucie County Erosion District made application for (1) construction easement for the project area lying in the Atlantic Ocean seaward of the mean high water line of the uplands in the City of Fort Pierce in Townships 34 and 35 South, Ranges 40 and 41 East, St. Lucie County, and (2) easement covering borrow areas in the Indian River in the same location necessary for the source of material for the beach restoration. Although the biological report by Florida Board of Conservation dated September 6, 1968, covering the dredge areas showed that there would be adverse effects on marine life, in meeting on October 30, 1968, the Cabinet, sitting as the Board of Conservation, released funds for an erosion control project recommended by Director Randolph Hodges who said that the benefits to the beach outweighed the damage to marine life in this case. Based on this action, the Staff recommended that the requested easements be granted. Mr. Hodges said that apparently there was no other spoil site available within the economic capability of the county. The adverse report was with respect to a 200-foot wide and one-half mile long area that would extend from a previously dredged channel from which material would also be dredged.

Mr. Parker said that just prior to the meeting several telegrams were received objecting to the dredging, and several parties were present in opposition. Objectors requested delay, re-checking cost estimates, and obtaining material from some other site.

Mr. Christian expressed the opinion that since the biological report was considered last week, that there was serious erosion damage and a state road endangered, there were no other sources of material for which the cost would not be too great, the plan was approved by the County Commissioners, Chambers of Commerce, city governments and Corps of Engineers, he did not think there was anything else for the Trustees to do but to grant use of the requested dredge area.

The Trustees heard from Mr. Astor Summerlin, representing a group called the Organized Fishermen of Florida, who read from the biological report and suggested that the material be taken from north of the inlet channel to preserve marine habitats. He said his group was not opposed to the beach erosion control program but had expected Mr. W. T. Carlton of the Division of Beaches and Shores, Board of Conservation, to meet with his group and explain the project before the dredging contract was awarded. He asked for a cost evaluation of an alternate dredge location and an opportunity to study the plan.

Mr. Steve Lowe, president of a local fishermen's group, also spoke against issuance of the permit until they had more information about the dredge area, the location of which he said was not made known to his group until the day before this meeting. It was pointed out that one of the County Commissioners, Mrs. Marjorie Silver, had objections, and also the St. Lucie County Audubon Society.

Answering the opposition and making further explanation to the Trustees, Mr. Cody F. Bailey, Chairman of St. Lucie County Erosion District and member of the County Commission, and Mr. Weldon B. Lewis, County Administrator, reviewed the history of the erosion problem, the fact that the plan of action had been worked on for three years, with much attention by the news media and approval by the electorate three times, that the proposed dredging area was realistic and the alternate suggested to the north would be prohibitive economically, that they had documented information and there had never been open opposition before even at a number of sessions attended by the parties now expressing objections. The erosion situation was critical, Mr. Bailey said.

The Trustees asked questions and Mr. Williams pointed out that although part of the dredge area involved vegetated bottoms, it would provide a channel which would be useful to make boating and recreation areas available to a greater number of people.

Governor Kirk said that the objectors were not very well informed and did not appear able to suggest any alternate but what would run the costs up considerably for the project.

Director Randolph Hodges said that the Division of Beaches and Shores had set a time to go down and explain the dredging plan to the local people, but had not expected the project to move so fast. He said Mrs. Jimmie Robinson, representing the Organized Fishermen of Florida, had appeared last Tuesday but the Trustees met on Wednesday, instead, and she was unable to remain. He pointed out that the criteria by the U. S. Corps of Engineers had changed and delay might result in loss of their assistance in the project, and that his Staff felt that the benefits would outweigh the damage to marine life. Material would be taken from a spoil area suggested but that would not be enough for the beach nourishment by itself.

Motion was made by Mr. Christian, seconded by Mr. Williams and approved unanimously, that the Trustees grant the request of the St. Lucie County Erosion District for (1) construction easement along the Atlantic Ocean for restoration and nourishment of the beach where part of State Road A1A and other construction was endangered by critical erosion, and (2) easement covering borrow areas in the Indian River for the source of material for the beach restoration.

TRUSTEES' FUNDS - A matter involving use of Trustees' Funds as a loan for the purpose of making improvements in the Capital Press Corps area in the Capitol was withdrawn from the agenda.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Williams and Mr. Adams and duly adopted, the Trustees approved Report No. 941 listing two regular bids for sale of lands in Columbia and Okaloosa

Counties under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 12, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved minutes of the meeting held on November 5, 1968.

INTERAGENCY ADVISORY COMMITTEE REPORT NO. 2 - Honorable Randolph Hodges, Chairman of Interagency Advisory Committee on Submerged Land Management, submitted the Committee's Report No. 2, "A Proposed System of Aquatic Preserves." The report set forth the general rationale and criteria for a statewide system of aquatic preserves, and proposed twenty-six offshore areas for initial establishment as elements of such a system. Mr. Hodges said it was hoped that the report was sufficiently comprehensive and that it would satisfy the Trustees' immediate need for information on this important subject. He pointed out that the contents of the report reflect only the majority thinking of the Committee itself; and he recommended that, before final action is taken by the Trustees on the establishment of specific preserves, consideration be given to holding one or more public hearings to solicit other views on the matter.

After being assured that acceptance of the report would not preclude public hearings, Mr. Faircloth made a motion that the Trustees of the Internal Improvement Fund, in accordance with recommendations contained in Report No. 2 of the Interagency Advisory Committee on Submerged Land Management,

(1) declare it to be the policy of the Trustees to estab-

lish a system of aquatic preserves, the first phase of which shall include preserves in the general areas shown in Report No. 2;

(2) that the Trustees herewith instruct the Staff, together with the Interagency Advisory Committee, to develop and submit to the Trustees as soon as possible a specific plan for providing, in the words of the Committee report, the "considerable additional field work" which will be necessary for "setting of exact boundaries" for these preserves, such plan to include cost estimates for Staff and other necessary expenditures;

(3) that the Interagency Advisory Committee with the cooperation of all affected state agencies under the supervision of the Governor and Cabinet, continue to develop specific recommendations with respect to "Management responsibility for each preserve" which, in the further language of Report No. 2, "should be clearly set forth by the Trustees in the dedication instrument or by subsequent formal action."

Mr. Williams said he had understood that the report would be received but no action taken on this date, and his concern was for people wanting to be heard.

Mr. Faircloth thought action should be taken to approve the policy of aquatic preserves, which would not preclude hearing any objections at a later date.

Mr. Adams seconded the three-part motion of the Attorney General, which he understood was a declaration of policy of the Trustees to establish a system of aquatic preserves, not necessarily those in the report, and was an instruction to the Staff to proceed with the "considerable additional field work" for defining boundaries, preparing cost estimates for necessary expenditures.

Comptroller Dickinson was in favor of the motion as an expression of a philosophy and not necessarily a commitment to approve everything in the Committee report, for he might not agree with some areas therein.

On the suggestion of the Secretary of State, Attorney General Faircloth amended his motion by including acceptance of Report No. 2. The amended motion, seconded by Mr. Adams, was adopted unanimously.

Several interested parties were present, including Mr. Robert F. Cromwell, attorney from Riviera Beach, Mr. John P. Kertz and Mr. Charles Beall, who opposed establishment of one of the aquatic preserve boundaries at the eastern boundary of the Intracoastal Waterway at Jupiter where a planned development which was already approved by the Area Planning Board of Palm Beach County and the Town of Jupiter, would be affected. Mr. Faircloth and the Governor assured them that the motion did not preclude hearings, which would be conducted by the Staff.

Mr. J. Lewis Hall, Jr., asked for information regarding the hearing and was assured that citizens would always have access to the Trustees as the final body. Mr. Dickinson said the Staff could handle preliminary hearings, but for his part, anyone who wished to be heard by the full Board would be granted that opportunity.

The text of Report No. 2 of the Florida Interagency Advisory Committee on Submerged Land Management submitted to the Trustees on this date is copied into these minutes, as follows:

A PROPOSED SYSTEM OF AQUATIC PRESERVES

Background

By virtue of its sovereignty, the State of Florida holds title to practically all submerged tidal lands lying between the line of mean high water and the outer territorial limits of the United States - a distance of three geographic (nautical) miles in the Atlantic Ocean and three leagues (nine nautical miles) in the Gulf of Mexico. Within the confines thus described lies an area of some ten thousand square miles, almost a fifth as large as the state's upland area. Much of this vast area of course is open water of varying depth, but much of it also is made up of coastal marshes, mangrove islands, grass flats, oyster bars, coral reefs and other features of estuarine, lagunal and similar nearshore tidal water bodies. It is with this latter type of submerged land area that this report is primarily concerned.

A high degree of diversity characterizes the nearshore physiography of the Florida coastline. Whatever the physical conditions, however, the coastal waters are almost universally productive from a biological standpoint, providing one of the best marine sport and commercial fisheries in the United States. Additionally, these waters and their associated flora and fauna have great aesthetic appeal. In all their aspects, Florida's extensive coastal waters constitute one of the most valuable natural resources in the state - a fact made even more important by the fortunate circumstance of their being almost entirely in public ownership.

It is a lamentable truism, however, that in this date and time man and nature cannot coexist on equal terms. Inevitably, population growth and economic development are attended by corresponding changes in the natural landscape, and the impact of such human progress is abundantly apparent in the physical alteration of Florida's coastal waters. Thousands of acres have been filled to create usable land, and thousands of acres more have been dredged to provide fill material or to create navigation channels. Coastal marshes and mangrove swamps have been drained for mosquito control and to improve upland property. Exploratory oil wells have been drilled, dead shell and sand mined, and numerous structures of every size, shape and purpose erected. Pollutants in various forms have been introduced into the coastal waters in increasing amount. Despite efforts at every level to control and mitigate these effects, Florida's coastal waters stand to suffer only continuing impairment of their unique natural qualities as time goes on.

From a purely practical standpoint, it is important to recognize the inevitability of further change along Florida's shoreline and to seek ways now to protect the natural values that remain. This can be done in a number of ways: by effective planning and zoning, by dredge and fill regulation, and other forms of control. Most of these measures, however, are reactions to problems or the threat of problems that already exist. One of the best ways to insure adequate overall protection for valuable coastal water areas before major problems materialize is to set aside select areas in permanent preserves, forever off-limits to incompatible human activity. A proposal for a statewide system

of aquatic preserves for Florida is presented below.

The Aquatic Preserve Concept

Although all of Florida's coastal waters are valuable to the state in their natural condition and should not be indiscriminately altered, the aquatic preserve concept assumes that some areas are more valuable in this respect than others, and that these can be reasonably identified and delimited. High value areas thus identified would be dedicated in perpetuity as aquatic preserves and would be managed in such a way as to protect and enhance their basic natural qualities for public enjoyment and utilization. Whatever then might happen in the surrounding area, the aquatic preserve - just as a public park or public forest - would remain as a living reminder of the natural conditions that preceded man.

Selecting from a ten thousand square mile expanse of coastal water those specific areas to be designated aquatic preserves is certainly no simple task. There could easily be proponents and opponents of practically every discrete coastal area in the state. Obviously to make a judicious selection some serviceable criteria must be developed. It is to be hoped that the selection of aquatic preserves will not be only a one-time exercise, with no opportunity to refine criteria on the basis of accumulated experience as time goes on. As a point of beginning, however, the following factors should receive careful consideration.

(1) Purpose. An aquatic preserve is intended to set aside an exceptional area of coastal water, its underlying bottom and the water column above, for preservation essentially in its natural or existing conditions by regulating all human activity which might have an effect on the area.

(2) Types. An aquatic preserve will be characterized as being of one or a combination of three principal interrelated types: (a) biological, to preserve or promote certain forms of animal or plant life or their supporting habitats, (b) aesthetic, to preserve certain scenic qualities or amenities, or (c) scientific, to preserve certain features, qualities or conditions - which may or may not include biological and aesthetic - for scientific and educational purposes. It is not considered necessary to establish aquatic preserves for general outdoor recreation purposes - such as boating, water skiing, swimming, etc.

(3) Quality. The quality of an area necessary to justify its establishment as an aquatic preserve will be determined largely on the basis of informed judgment, and the standards for this purpose will no doubt vary somewhat from place to place and will be modified as time goes on and circumstances change. To provide for the highest possible degree of consistency, however, quality determination should be made in the same manner in each case (see "Mechanics").

(4) Size. The area of an aquatic preserve should be large enough to include the principal features which justify establishment of the preserve, and to provide a sufficient buffer zone to insure protection from unnatural peripheral influences. There will be practical minimum and maximum sizes for aquatic preserves, but these should be determined in each case individually.

(5) Number. There should be no fixed limit on the number of aquatic preserves to be established, although each preserve should be clearly justified by its intrinsic merit. If a practical maximum should be evidenced later, new preserves could be added to the system by eliminating those of lower quality.

(6) Distribution. An effort should be made to establish aquatic preserves for all areas of exceptionally high quality, regardless of their location. Otherwise some balance should be sought both in geographical distribution and in types of areas. Such balance is necessary in order for the aggregation of preserves to constitute a true statewide system.

(7) Priority. Because virtually any number of aquatic preserves can be established simultaneously, the matter of priority is not necessarily of material concern. As a practical consideration, however, the order of selection and establishment should be governed by the relative vulnerability of the qualities intended to be preserved. Preserves in close proximity to urban or other rapidly developing areas, or which are in imminent danger from some other source, or which are designed to protect rare or endangered species or other unique features, or which constitute the last vestiges of natural conditions within a given area, should be given early consideration.

(8) Competing uses. In selecting areas to be set aside as aquatic preserves, consideration should be given to all potentially competing uses to insure that maximum utilization of the areas will inure to the public.

While the above selection criteria are not at all specific, it is doubtful that it would be feasible at this point to propose a more detailed basis for selection. In the final analysis, the selection of aquatic preserves will be largely a matter of judgment under circumstances prevailing at the time. This brings up the subject of how aquatic preserves should be selected, established and managed, which is discussed below.

The Mechanics for Establishing an Aquatic Preserve System

Selection. Although operation of an aquatic preserve system undoubtedly would have to be coordinated among several agencies at both the state and federal levels, the Trustees of the Internal Improvement Fund, as owner of the underlying water bottoms, probably has the greatest proprietary interest and would be called upon for formal establishment of the preserves. To assist in the selection of aquatic preserves, however, it is recommended that the Trustees create a continuing inter-agency advisory committee for this purpose. The committee could act at the request of the Trustees or could initiate proposals for new preserves on its own. With the same agencies representing the same interests on the committee, there should be a high degree of consistency in the evaluation and selection of prospective preserves.

Establishment. Formal establishment of an aquatic preserve should be accomplished by a resolution adopted by the Trustees, desirably with the formal concurrence of other governmental bodies which might have some jurisdiction in such matters. The resolution should dedicate the affected water bottom in perpetuity as

an aquatic preserve, and should define the area with a closing perimeter boundary capable of legal description. An atlas of aquatic preserves, on maps of a suitable scale, should be maintained by the Trustees, and the dedication instrument for each preserve should be filed for record in each county in which a portion of the preserve might lie. In defining the boundary of a preserve, it should be the intent to include only lands or water bottoms owned by the state. Any included lands or water bottoms to which a private ownership claim might subsequently be proved would be automatically excluded from the preserve, although such exclusion should not preclude the state from attempting to negotiate an arrangement with the owner by which such lands or water bottoms might be again included within the preserve. As it might become practical, preserves should be identified in the field by appropriate boundary markers.

Management. Management responsibility for each preserve should be clearly set forth by the Trustees in the dedication instrument or by subsequent formal action. The Trustees should adopt a uniform set of general management criteria covering all aquatic preserves, and, where appropriate, a set of special management criteria for individual preserves. Suggested general management criteria are as follows:

(1) No alteration of physical conditions within an aquatic preserve shall be permitted except: (a) minimum dredging and spoiling for authorized public navigation projects, or (b) other approved activity designed to enhance the quality or utility of the preserve itself. It is inherent in the concept of the aquatic preserve that, other than as contemplated above, there be: no dredging and filling to create land, no drilling of oil wells or excavation for shell or minerals, and no erection of structures on stilts or otherwise unless associated with authorized activity, within the confines of a preserve - to the extent these activities can be lawfully prevented.

(2) Specifically there shall be no bulkhead lines set within an aquatic preserve. When the boundary of a preserve is intended to be the line of mean high water along a particular shoreline, any bulkhead line subsequently set for that shoreline will also be at the line of mean high water.

(3) All human activity within an aquatic preserve shall be subject to reasonable rules and regulations promulgated and enforced by the Trustees and/or any specifically designated managing agency. Such rules and regulations shall not interfere unduly with lawful and traditional public uses of the area, such as fishing (both sport and commercial), hunting, boating, swimming and the like.

(4) Neither the establishment nor the management of an aquatic preserve shall infringe upon the lawful and traditional riparian rights of private property owners adjacent to a preserve. In furtherance of these rights, reasonable improvement for ingress and egress, mosquito control, shore protection and similar purposes may be permitted by the Trustees and other jurisdictional agencies, after review and formal concurrence by any specifically designated managing agency for the preserve in question.

(5) Other uses of an aquatic preserve, or human activity within a preserve, although not originally contemplated, may be permitted by the Trustees and other jurisdictional

agencies, but only after a formal finding of compatibility made by the Trustees on the advice of any specifically designated managing agency for the preserve in question.

Prospective Aquatic Preserves
Recommended for Initial Establishment

Generally in accordance with the concept and criteria set forth above, the following specific areas in the coastal waters of the State of Florida are recommended for initial establishment as aquatic preserves. It should be emphasized, however, that the following areas do not represent a complete screening of the possibilities, and for the time being should be regarded as only the first-phase elements of a statewide aquatic preserve system.

Map reference

A-1 Fort Clinch State Park (Nassau County) This is an aesthetic preserve designed to protect the area surrounding Fort Clinch State Park. It includes part of Cumberland Sound and the Atlantic Ocean north to the Georgia state line.

A-2 Nassau Marsh (Nassau and Duval Counties) This is a biological preserve intended to protect the extensive marsh areas associated with the Nassau and Amelia Rivers. It is a highly productive area for both fishing and birdlife, including migratory waterfowl. Lying between serious pollution problems at both Fernandina Beach and Jacksonville, this area stands out as being still largely unspoiled.

A-3 Little Talbot Island (Duval County) This is an aesthetic preserve designed to protect the area surrounding Little Talbot Island State Park. It includes a portion of the Atlantic Ocean between Nassau Sound and the St. Johns River, and the marsh areas immediately west of the park.

A-4 Pellicer Creek (St. Johns and Flagler Counties) This is an aesthetic preserve designed to protect the area surrounding Faver-Dykes State Park. It includes Pellicer Creek and its associated marshes from U. S. #1 to the Matanzas River.

A-5 Tomoka Marsh (Flagler and Volusia Counties) This is a combination biological and aesthetic preserve intended to protect the area around and extending north from Tomoka State Park. It would include portions of the Halifax and Tomoka Rivers, Tomoka Basin, and associated marsh areas. It is considered a highly important area for birdlife, including migratory waterfowl, and serves as a valuable nursery and feeding grounds for shrimp, young marine fishes and blue crabs.

A-6 Mosquito Lagoon (Volusia and Brevard Counties) This is a combination biological and aesthetic preserve intended to protect the entire lagoon from New Smyrna Beach south to Merritt Island. Much of the southern part of the lagoon has been dedicated to NASA and is now managed as a part of the Merritt Island National Wildlife Refuge. This area is extremely important for birdlife, containing the largest concentration of waterfowl in the state. It is also important as a fishery area, and as a habitat for the manatee. Numerous mangrove islands give the lagoon a highly scenic aspect, which should be protected as a feature of the Canaveral National Seashore being proposed for the area.

A-7 Banana River (Brevard County) This is a biological preserve designed to protect the Banana River south of State Road 528. This is an extremely important area for migratory waterfowl as well as other birdlife. Wintering waterfowl populations have been estimated as high as 300,000 birds, and several rare species are also present. In addition, the area is a valuable sport and commercial fishery.

A-8 Indian River - Malabar to Sebastian (Brevard County) This is a biological preserve intended to protect that portion of the Indian River from Cape Malabar south to Sebastian Inlet. This is an important waterfowl and wading bird area, with wintering waterfowl populations estimated as high as 200,000 birds. It is also important as a sport and commercial fishery and is the best oyster producing area in Brevard County. With U. S. #1 paralleling the west shore along a high bluff, the aesthetic qualities of this area are also significant.

A-9 Indian River - Vero Beach to Fort Pierce (Indian River and St. Lucie Counties) This is a biological preserve designed to protect that portion of the Indian River between Vero Beach and Fort Pierce. The area is characterized by extensive submerged grass flats and mangrove shorelines which make it well suited both for birdlife and for sport and commercial fishing. Wintering waterfowl populations alone are estimated as high as 100,000 birds. The preserve would also provide an added measure of protection for Jack Island State Park, on the east shore.

A-10 Intracoastal waters - Jensen Beach to Jupiter Inlet (Martin and Palm Beach Counties) This is a combination biological and aesthetic preserve which will protect that portion of the Indian River, Hobe Sound and connecting intracoastal waters between the Jensen Beach bridge and Jupiter Inlet. The area supports aquatic vegetation important to both birdlife and sport fish. In addition, it is a highly scenic area which will be a valuable adjunct of the state park proposed south of St. Lucie Inlet and of the existing Audubon preserve on Jupiter Island.

A-11 Loxahatchee River - Lake Worth Creek (Martin and Palm Beach Counties) This is a combination biological and aesthetic preserve designed to protect the Loxahatchee River system - especially the Northwest and North Forks - to the upper limits of tidewater, and the reaches of Lake Worth Creek immediately south of Jupiter Inlet. The Loxahatchee River system is of exceptional quality from a biological standpoint, and is one of a very few rivers in all of south Florida remaining largely in its natural state. Jonathan Dickinson State Park lies on the north side of the river and efforts are presently underway to acquire a tract of land on the south side also. Both this area and the mangrove island area in Lake Worth Creek support a wide variety of wildlife and are outstanding sport fisheries.

A-12 Biscayne Bay - Cape Florida to south county line (Dade County) This is a combination aesthetic and biological preserve designed to protect that portion of Biscayne Bay associated with the chain of reefs and keys from Cape Florida south to the Monroe County line. The high scenic quality of this area would be preserved to enhance

existing Cape Florida State Park on the northern end and the proposed Biscayne National Monument on the south. The Featherbed Bank area with its rich biological features would be included.

G-1 Fort Pickens State Park (Escambia and Santa Rosa Counties) This is an aesthetic preserve designated to protect the area surrounding Fort Pickens State Park and other proposed outdoor recreation sites in this vicinity. It would include parts of the Gulf of Mexico, Santa Rosa Sound, Pensacola Bay and Big Lagoon.

G-2 Yellow River Marsh (Santa Rosa County) This is a biological preserve intended to protect the marshes associated with the lower reaches of the Yellow River, Blackwater Bay and East Bay. The area is important for sport fishing and supports quality oyster growth. The importance of this area is emphasized by the adverse effects which similar marshes in the nearby Pensacola area have suffered.

G-3 Rocky Bayou State Park (Okaloosa County) This is an aesthetic preserve designed to protect the area surrounding Rocky Bayou State Park. It includes all of Rocky Bayou and adjacent parts of Choctawhatchee Bay.

G-4 St. Andrews State Park (Bay County) This is an aesthetic preserve designed to protect the area surrounding St. Andrews State Park. It would include portions of the Gulf of Mexico and St. Andrews Bay, although some coordination may be necessary with the U. S. Navy concerning their interests in this area.

G-5 St. Joseph Bay (Gulf County) This is a combination biological and aesthetic preserve which will afford protection for the biological values in St. Joseph Bay and for the scenic values of St. Joseph State Park. The southern half of the bay contains the most extensive and luxuriant seagrass beds in this part of the state, and supports a highly significant sport and commercial fishery. The area is important also for waterfowl and wading birds. The northern part of the bay and the adjoining waters of the Gulf are included for the benefit of the park.

G-6 Apalachicola Bay (Franklin and Gulf Counties) This is a biological preserve intended to protect one of the most productive marine biological areas in the state. It contains all of Apalachicola Bay from Indian Sound east to the St. George Island causeway, and the adjacent tidal waters and marshes associated with the Apalachicola River estuary. The commercial fishing values of this area, especially for oystering, are exceptional. The high productivity of this estuarine complex also supports a vast amount of birdlife, including large concentrations of migratory waterfowl.

G-7 Alligator Harbor (Franklin County) This is primarily a biological and scientific preserve designed to protect the Alligator Harbor area extending west to Turkey Point and the Dog Island Reef. The protected harbor area is important for sport fishing and for shellfish. The adjoining area to the west is desired by the Oceanographic Institute of Florida State University - which has permanent field facilities located on nearby Turkey Point - as a preserve for scientific and education purposes.

G-8 St. Martins Marsh (Citrus County) This is a biological preserve which will protect an intricate complex of tidal streams, oyster bars, hammock-marsh islands and scattered mangroves in the Gulf of Mexico. The area is expecially valuable for birdlife, and because of the abundance of emergent vegetation it also has great scenic value. It adjoins Chassohowitzka National Wildlife Refuge on the south.

G-9 Caladesi Island (Pinellas County) This is an aesthetic preserve designed to protect the area surrounding Caladesi Island State Park. It includes parts of the Gulf of Mexico and St. Joseph Sound.

G-10 Boca Ciega Bay (Pinellas County) This is a biological preserve intended to protect one of the few productive bottom areas remaining in Boca Ciega Bay. The area contributes to both commercial and sport fisheries, and provides added protection for Pinellas National Wildlife Refuge, which it surrounds.

G-11 Cape Haze - Gasparilla Sound (Charlotte and Lee Counties) This is a biological preserve which will afford protection for a highly productive area in Gasparilla Sound and Charlotte Harbor. The area is valuable both for birdlife and for sport and commercial fishing. It would provide a much needed buffer zone for the existing Island Bay National Wildlife Refuge, and because of the abundant emergent vegetation it also has high aesthetic quality.

G-12 Matlacha Pass (Lee County) This is a biological preserve designed to protect the highly productive area in Matlacha Pass, between Charlotte Harbor and San Carlos Bay. This is easily one of the most valuable marine habitats in the state, for both commercial and sport fishing. It also supports one of the greatest concentrations of waterfowl in the state, with winter populations as high as 300,000 birds, and is equally important for wading birds. Scenic qualities are also significant.

G-13 Pine Island Sound (Lee County) This is a biological preserve designed to protect the Pine Island Sound area, on the opposite side of Pine Island from Matlacha Pass. Like Matlacha Pass, this area is also highly important from the standpoint of both fishing and birdlife, and also has considerable scenic value.

G-14 Cape Romano - Ten Thousand Islands (Collier County) This is a biological preserve intended to protect the intricate complex of mangrove islands extending south from Cape Romano to the Everglades National Park. The area also has immense aesthetic appeal which could easily justify its establishment as a preserve even if the biological values were not sufficient. The area is biologically very productive, however, and supports a large population of shore and wading birds of many species. The area is the last nesting stronghold on the Florida Gulf coast for the American bald eagle and the swallowtail kite. Sport fishing in the area is also important.

A general location map is attached, with each proposed aquatic preserve identified by the reference numbers assigned above. Individual preserve maps are also attached to illustrate proposed approximate boundary alignments. It should be emphasized that the setting of exact boundaries for most of these preserves

will not be feasible without considerable additional field work.

* * * * *

Note for the minutes: Maps corresponding to the numbered areas are on file in the office of the Trustees of the Internal Improvement Fund.

DADE COUNTY - Dock Permit, Section 253.03. Application was made by The Bath Club of Miami Beach, Florida, for a permit to allow construction of four timber docks and timber pile dolphins in Indian Creek in Section 14, Township 53 South, Range 42 East, for which all required exhibits, including $100 processing fee, were submitted.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of state commercial dock permit to the applicant.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123. Mr. H. A. Owsley, Jr., Vice Commodore, Pensacola Yacht Club, applied for permit for maintenance dredging in the existing boat basin and boat slips in Bayou Chico in Section 40, Township 2 South, Range 30 West, Escambia County.

Staff requested waiver of the biological survey as provided in Section 253.123(3)(a) Florida Statutes.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the dredging permit as requested.

MONROE COUNTY - Dredge Permit, Section 253.03, File 57. Placed on the agenda at the request of Commissioner of Agriculture Doyle Conner for discussion was the application from Worlds Beyond, Inc., of Islamorada, Florida, for permission to construct a navigation channel adjacent to applicant's upland in Government Lot 1, Section 2, Township 60 South, Range 40 East, Key Largo, Monroe County. The proposed channel would be 1,000 feet long by 75 feet wide and 8 feet deep, and payment would be required for all material removed in excess of the maximum channel dimensions under existing policy.

The biological report dated September 5, 1968, from the Florida Board of Conservation showed the proposed channel would result in the destruction of some valuable grassbeds but was not excessively large, would provide access to the applicant's property, and that the deposit of spoil on upland would minimize the damage.

The applicant's representative, Representative Jeff D. Gautier, was present to submit information to justify consideration of the application within the provision of existing policy requiring the showing of an emergency or public purposes. He said that his client had received approval of Monroe County, did not wish to purchase state land, did not need fill material, but only wished to obtain a navigable approach to its property between Ocean Reef Channel and Garden Cove Channel where for approximately fifteen to eighteen miles there was no navigable access to upland property. The site being equi-distant from each said channel, he thought the channel would serve a useful public purpose. Also,

his client's upland project, representing a considerable investment, depended on having navigable ingress and egress - which was the emergency nature of the application. He had spoken to Mr. Joe Browder who stated that the Audubon Society had no objections.

In response to Governor Kirk's comment about the fill material, Mr. Gautier said that while his client did not need the material that would be removed from the channel, if it was required to be deposited on upland and paid for, the applicant would comply.

Mr. Faircloth asked for the Staff recommendation as to the spoil and the Director said the applicant's plan showed three spoil areas adjacent to the channel designed to give some protection to the channel, inasmuch as they did not need the spoil material. Mr. Faircloth said that since deposit on upland would minimize the damage to grassbeds he would approve the application on that basis.

Mr. Conner said that under the moratorium,,the matter was being discussed at this time to determine if it should be placed on the agenda. At that time more complete information and a recommendation from the Staff would be available.

Motion was made by Mr. Faircloth, and adopted without objection, that the application be agendaed as coming within the provision of existing policy during the moratorium.

MONROE COUNTY - Withdrawn from the agenda due to the absence of Mr. Christian was an application from Bud 'N Mary's Marina for dredging a channel extension at Upper Matecumbe Key.

POLK COUNTY - Dedication, Section 253.03 Florida Statutes. Polk County applied for a small amount of additional right of way from property under use by the Department of Agriculture as a nursery site, which was needed in the realignment of Buckeye Road northeast of Winter Haven, Florida. The Department approved the request for a small triangle area at the southeast of the property containing less than 100 square feet.

Staff recommended that the Trustees, holding title under Chapter 67-2236, dedicate the required right of way without cost to Polk County for road purposes only, subject to continued access being provided for the Department of Agriculture nursery.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees accepted the recommendation as their action on the application.

WALTON COUNTY - Dedication, Section 253.03 Florida Statutes. The State Road Department requested the Trustees, as holder of title under Chapter 67-2236, to issue a new dedication to correct an error in the legal description of that certain dedication instrument granted in 1958 by the Board of Education to the State Road Department covering right of way in fractional Section 16, Township 3 South, Range 19 West. Also, additional right of way was requested, where the proposed road would cross an arm of the lake located in the section.

In 1964 the Board of Education had leased said section to the Park Board for development of a State Park. The Park Board

reviewed the request and had no objection to the correction and widening proposed by the State Road Department of State Road S-30-A in Walton County.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that a new dedication instrument be issued correcting the error in description and granting the requested additional right of way to the State Road Department.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 19, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director

On motion duly adopted, the Trustees approved minutes of the meeting of November 12, 1968.

The Director asked for clarification of the desire of the Board as to hearings on Interagency Advisory Committee Report No. 2 on a proposed system of aquatic preserves. If the staff was to conduct hearings, about seven locations could be selected which would cover the geographic areas under consideration.

Mr. Dickinson thought that by having hearings in those areas, the hearing officers might find persons available to give more in-depth information. He said the Governor made it clear that after staff hearings were held, trying to resolve all matters that could be resolved, persons desiring to be heard by the Trustees would be afforded that opportunity.

Mr. Faircloth said the sense of the motion last week was for staff procedure to implement what was done by the Trustees, and

then to hear any objections; that the staff should make recommendations and then conduct hearings. Governor Kirk added that if hearings are held they should be out in the areas involved.

LEE COUNTY - Governor Kirk said that a bulkhead line request from Lee County had been presented to him, to be brought to the Trustees' attention.

The Director said he was advised that it had been requested as an emergency, and the staff could place it on the agenda for next week.

It was so ordered.

DUVAL COUNTY - Dredge Permit, Section 253.123, File No. 170. Request was made by M. H. Ramaeker, LTJG, CEC, USNR, Assistant Resident Officer in Charge of Construction, on behalf of the United States Naval Air Station at Mayport, Florida, for a permit to dredge 88,000 cubic yards of material from the St. Johns River adjacent to the U. S. Naval Air Station in Sections 19,20, 29 and 30, Township 1 South, Range 29 East, Duval County, to be used in filling a cellular structure under construction for a deep draft berthing wharf at the west wall of the Naval Station turning basin.

The Florida Board of Conservation reported that the proposed dredging would not affect marine resources in the area.

Staff requested waiver of payment, since the material would be used by the United States Navy Department.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees grant the request for material without charge.

ST. LUCIE COUNTY - Dock Permit, Section 253.03. Mr. R. W. Burwell of Fort Pierce, Florida, applied for permit to replace and relocate an existing dock in the Fort Pierce Inlet, an arm of the Indian River, in Section 36, Township 34 South, Range 40 East, in St. Lucie County. All required exhibits, including $100.00 processing fee, have been submitted and the staff recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, that the Trustees grant the request for issuance of a state commercial dock permit.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 57. The Trustees on November 12 discussed and authorized the staff to place on the agenda the application from Worlds Beyond, Inc., for a permit to construct a navigation channel in the Atlantic Ocean adjacent to applicant's upland in Section 2, Township 60 South, Range 40 East, at Key Largo in Monroe County. The original request was for a channel 75 feet wide, 8 feet deep and 1000 feet in length. Mr. Jeff Gautier, attorney representing the applicant, said that his client would be willing to reduce the length of the channel from 1000 feet to 800 feet and place all material on the upland ownership, and payment of $740.00 would be made for the estimated amount of material removed

from the overcut at the standard yardage rate.

The channel was needed to provide access to a marina being constructed within the applicant's upland ownership. Staff recommendation was favorable provided the channel length was reduced to 800 feet, spoil was placed on upland, and the overcut material was paid for by applicant.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the dredge permit on the basis recommended by the staff.

PINELLAS COUNTY - Dock Permits, Section 253.03. The Pinellas County Water and Navigation Control Authority approved applications for the following commercial dock permits:

1. H. C. Crittenden, Clearwater, Florida, to construct a dock in Clearwater Bay in Section 17, Township 29 South, Range 15 East;

2. Jenard M. Gross Co., Treasure Island, Florida, to construct a dock in Boca Ciega Bay in Section 24, Township 31 South, Range 15 East.

All required exhibits including $100.00 processing fee were submitted with each application, and the staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that issuance of the two state commercial dock permits be authorized.

DUVAL COUNTY - The Trustees deferred for a week consideration of a bulkhead line established by the Board of County Commissioners of Duval County on September 23, 1968, around a marsh area north of the St. Johns River in Sections 22, 23 and 26, Township 1 South, Range 28 East, Duval County. The Director stated that the applicant's attorney and engineer could be present next week.

SHELL LEASE REPORT - The Trustees accepted for the record the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$4,855.80
2233	Bay Dredging & Construction Co.	5,765.49
1788	Benton and Company, Inc.	8,852.69
2235	Fort Myers Shell & Dredging Co.	1,181.25

TRUSTEES FUNDS - On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized the State Board of Administration to invest in like securities funds of the Trustees now in short-term U. S. Treasury bills in the amount of $210,000.00 (par value) maturing on November 21, 1968.

Commissioner of Agriculture Doyle Conner, chairman of the committee including Comptroller Fred O. Dickinson, Jr., and Attorney General Earl Faircloth, appointed to review the criticism by Representative M. T. Ted Randell who appeared before the Trustees on April 22, 1968, and recited certain matters he felt should be drawn to the Trustees' attention regarding the administration of the Trustees of the Internal Improvement Fund and in a prepared statement further and more specifically stated that the Randell-Thomas Act was not being implemented as intended, gave the report of the review committee on this date. Mr. Randell's prepared statement intended to call attention to an apparent trend toward disposal of public lands which seemed to have engendered comment directed to internal operation and administration of the agency. On July 2 the Director categorically responded to the items in Mr. Randell's statement, and the latter replied to the response.

The items enumerated were reviewed by the committee individually and many of them appeared to antedate Mr. Parker as Director of the Trustees - the majority of them back in the fifties, Mr. Conner said. The report stated that the Director applied his understanding of the law to circumstances presented by the applicants, recommended action to the Trustees, and the committee believed that since the passage of the Randell-Thomas Act many, if not all, of the directives have been implemented and policy adopted to establish integrity of the legislative mandate. Nothing could be found in Mr. Randell's text that would support maliciousness on the part of the Director or staff of the Trustees, nor did the committee believe Mr. Randell intended such a charge.

The committee report recognized Mr. Randell for his efforts to call the Trustees' attention to matters which he believed were indications of a drift in policy adverse to the people's interest. Mr. Conner said that the committee, with assistance of staff people, spent considerable time on each item suggested as being an area of concern, and he thought one thing that was established was the fact that through the years the Trustees had been tightening up, either through legislative mandate or their own initiative. The record showed disposition of about forty per cent as much submerged land during the last two or three years as back in the fifties. The area subject to criticism was the fact that this was not a clearly defined program but was handled on an individual basis with a philosophy, reflected in the record, of tightening up the procedures.

Mr. Conner, in summation, said that the subcommittee found nothing illegal in the administration of the Trustees' office but would recommend that a committee of the Trustees be created and charged with the function to review completely and thoroughly the internal administration of the Trustees to the end that standard operating procedure is established and policy adopted to:

1. Strengthen the method of appraising lands.
2. Bolster the method of on-site inspections where land was being dredged.
3. Determine staff needs.
4. Develop an approach for liaison between government agencies and political subdivisions.

Mr. Conner said this was an agency which had changed little in number of personnel, did not have field men needed, and while there was one staff member working with the cities and

counties this should be improved.

Governor Kirk thanked the subcommittee for their work and, following their recommendation, created a committee of the Attorney General as chairman, Mr. Conner and Mr. Williams to implement the above recommendations.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved Report No. 942 listing one regular bid for sale of land in Jefferson County under provisions of Chapter 18296 - the Murphy Act.

On motion duly adopted, the meeting adjourned.

GOVERNOR / CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
November 26, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker	Director

On motion duly adopted, the minutes of the meeting of November 19, 1968, were approved.

The resignation of Mr. Parker as Director, which had been submitted to all members last week, to become effective on December 31, 1968, was accepted by Governor Kirk on behalf of the Board.

Motion was made by Mr. Conner, seconded by Mr. Christian and Mr. Faircloth, and adopted unanimously, that a resolution thanking Mr. Parker for his services be drafted by the Attorney General for the records.

LEE COUNTY - Bulkhead Line. Section 253.122 Florida Statutes. Consideration of a bulkhead line was placed on the agenda in response to the statement made last week by Governor Kirk and a letter from Mr. Julian L. Hudson, Chairman of the Board of County Commissioners of Lee County, advising that an emergency existed with regard to an erosion problem.

By Resolution adopted June 19, 1968, the Board of County Commissioners of Lee County fixed and established a bulkhead line in Matlacha Pass in Section 24, Township 44 South, Range 22 East. The Lee County Bulkhead Line Committee recommended approval of the line, and the Lee County Conservation Association was represented at the local hearing by Mr. Bill Mellor who said they did not object to anything that Mr. Ken Woodburn of the Board of Conservation took into consideration in his letter (dated May 24, 1968, attached as information to copies of the Trustees' agenda).

The Florida Board of Conservation report stated that the line was a maximum of 8 feet offshore from the line of mean high tide and the remains of a wooden seawall, that a 25-foot wide by 5-foot deep channel was proposed to be constructed adjacent to the bulkhead line, and that neither the bulkhead line nor the channel would materially or adversely affect marine life, habitats or fisheries.

The file showed that there were three objectors at the local hearing, one objecting to any permit for dredging bay bottoms and two objecting if the line created any pockets.

The Director called attention to the fact that the location was inside Matlacha Pass aquatic preserve (G-12) recommended in Report No. 2 of the Interagency Advisory Committee.

In view of the approval and recommendations mentioned above, motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line as established by Lee County on June 19, 1968.

DUVAL COUNTY - Bulkhead Line. Section 253.122 Florida Statutes. Deferred last week at the request of Mr. Bradley Kennelly, attorney for the Jacksonville Port Authority, and presented for consideration on this date was a bulkhead line around the marsh area lying north of the St. Johns River in Sections 22, 23 and 26, Township 1 South, Range 28 East, Duval County, which was established by the Board of County Commissioners of Duval County by Resolution adopted September 23, 1968. The line was fixed primarily to define a maintenance and construction spoil area to be used in the construction of the Jacksonville Harbor Project.

On September 23 the bulkhead line was approved contingent on receiving a report from the Board of Conservation, and on September 30 the County Commission reheard and reconfirmed the bulkhead line, having in hand the biological report. There were no objectors reported present at the September 23 meeting, but on September 30 Mr. W. Curtis Lovelace objected at the County Commission meeting. He also filed letters of objection in the Trustees' office.

The Board of Conservation reported that any subsequent filling of the submerged lands inside this bulkhead line would have adverse effect on marine life and resources. On November 7 the Board of Conservation reported that since the northerly limit

of the proposed bulkhead line and overall potential spoil area, including productive marsh and tidal creeks, had been reduced by 1400 feet, more than 200 acres was eliminated from Spoil Area MSA-7A, thereby reducing potential adverse biological effects.

Staff recommendation was that in the event the Trustees approved the bulkhead line as established by the County Commission, the description as shown in the county resolution be modified to include the following language: "Excepting therefrom, however, those portions of the hereinabove described bulkhead line lying above the mean high water line." Also, Staff recommended that the approval be conditioned upon requirement of review and approval by the Attorney General that the action taken by the County Commission at the meetings of September 23 and 30 complied with the requirement of the statutes that a biological report made by and under the direction of the State Board of Conservation of the area included within the bulkhead line be at hand at the time the action was taken.

Mr. F. Bradley Kennelly, attorney for Jacksonville Port Authority, summarized the history and plans of the harbor deepening project for which the local sponsor was responsible for acquiring spoil areas to meet requirements of the Corps of Engineers. The Authority was asking for consent for deposit of spoil on the marsh area made available by the North Shore Corporation within the bulkhead line. He said the tax payers had passed a bond issue for the harbor project, that any alternate areas would increase the cost in excess of a half million dollars. He agreed with Treasurer Broward Williams' observation that it might increase the value of the upland owner's property but the work was needed in order for the Jacksonville Harbor to retain its place as a port.

Mr. Herman Ulmer, Jr., attorney for the corporation, said that firm was involved because it owned most of the marshes between Dames Point and the ocean on the north side of the river, that it offered perpetual easement on the back land and temporary easement on the other strip of land at no cost, assumed the cost of diking and would bear the expense of five pipeline crossings under Heckshire Drive. He said that the land would benefit some day, if no longer needed for maintenance easement, but it would not be overpayment for fifty years' use.

Mr. W. Curtis Lovelace read a long statement of objection to the bulkhead line, destruction of tidal marsh, and the free spoil material to a private owner when it might be transported or deposited on alternate areas.

Mr. Ulmer thought there should be a policy decision from the Board for use of certain marsh locations for potential port developments, that we can't have breeding grounds and ports in the same place and a choice should be made to avoid controversies on every project. Mr. Faircloth said that was an excellent idea. It was pointed out that North Shore Corporation gave Little Talbot Island for a state park, that most of the stock in the Florida corporation was owned by the August Heckshire Foundation.

Mr. Christian said in his opinion the public good of the port development overshadowed conservation here, that the area was reduced by 200 acres, and he was ready to move that the Trustees approve the bulkhead line as established by the Board of County Commissioners of Duval County.

In answer to Mr. Faircloth's question, Mr. Kennelly and Mr. Joe

J. Koperski, Chief, Engineering Division of the Jacksonville District, U. S. Corps of Engineers, said it was absolutely essential to the project to use the area within the bulkhead line for disposition of spoil material from the harbor deepening.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the bulkhead line be approved as recommended by the Staff, the description to be modified to include "Excepting therefrom, however, those portions of the hereinabove described bulkhead line lying above the mean high water line", and that approval be conditioned upon review and approval by the Attorney General of the action taken by the County Commission.

BREVARD COUNTY - Dredge Permit, Section 253.123. The Florida State Road Department applied for permit to remove 120,000 cubic yards of material from temporary dredge area in the Indian River south of State Road 518 approved by the Trustees in meeting October 15, 1968. The material was needed for construction of State Road Nos. S-3 and S-3-B, Sections 70590-2604 and 70670-2603 in Brevard County.

The Florida Board of Conservation reported that water depths in the dredge area were greater than minus-five feet mean low water, and the proposed dredging should not have significant adverse effects on marine life of the area.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that dredge permit be granted to the State Road Department, and that the regular charge of 10¢ per cubic yard be waived.

GLADES COUNTY - Dredge Permit, Section 253.03. Seaboard Coast Line Railroad Company, Jacksonville, Florida, applied for permit to replace the company's submarine cable crossing the Caloosahatchee River Canal at Moore Haven, Florida. Replacement was necessary due to the flood control improvements being accomplished by and at the direction of the United States Government.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the requested permit be issued.

MARTIN COUNTY - Dredge Permit, Section 253.123. Southern Bell Telephone and Telegraph Company, Jacksonville, Florida, applied for permit to install a submarine cable across the Intracoastal Waterway in the Gomez Grant in Section 37, Township 39 South, Range 42 East, in Martin County.

Staff requested waiver of the requirement for biological or ecological report as provided under the provisions of Section 253.123(3)(a) for the work which would benefit the public.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the requested permit be issued.

MONROE COUNTY - Dredge Permit, Section 253.03. Placed on the agenda at the request of Mr. Christian, and deferred on November 12, was the application submitted on September 26, 1968, by Bud 'N Mary's Marina, represented by Mr. Jack Kertz, for a dredge permit to construct an extension to an existing channel in Section

6, Township 64 South, Range 37 East, Upper Matecumbe Key, conforming to the maximum size allowed under Trustees' policy. Applicant applied for a 900-foot extension, but by letter dated November 13 amended the application to request only 300-foot extension across the sandy unvegetated area at the seaward end of the existing channel to conform with the Florida Board of Conservation report.

The biological report stated that a sandy unvegetated area extended approximately 300 feet seaward from the end of the existing channel and spoil island, and the remainder of the project area was heavily vegetated with turtle grass and attached algae. It further reported that the 50-foot wide channel would provide access to the applicant's property and should not have serious adverse effects on the marine life of the area, and the extension of the existing spoil island to the end of the 300-foot unvegetated area should not cause adverse effects. Any spoil removed further than 300 feet offshore of the existing channel should be brought back to existing spoil area.

Mr. William Roberts, attorney representing the applicant, was present to answer any questions as to the nature of the emergency application.

Mr. Christian said he was ready to move approval for the channel extension. Mr. Faircloth seconded the motion, which was adopted without objection.

PINELLAS COUNTY - Dock Permit, Section 253.03. The Pinellas County Water and Navigation Control Authority approved a dock application for North Bay Company of Clearwater, Florida, to be constructed in Clearwater Harbor adjacent to Lot 43, Unit 5A, Island Estates of Clearwater, in Clearwater Harbor in Section 8, Township 29 South, Range 15 East, Pinellas County.

All required exhibits including $100 processing fee were submitted and Staff recommended issuance of a state commercial dock permit.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the Trustees authorize issuance of a state commercial dock permit to North Bay Company.

SHELL LEASE REPORT - On motion by Mr. Williams, the Trustees received for the record the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 3,296.27
1788	Benton and Company	12,218.49
2233	Bay Dredging & Constr. Co.	5,550.20
2235	Ft. Myers Shell & Dredging	360.00
2235	Ft. Myers Shell & Dredging	354.00

SUBJECTS UNDER CHAPTER 18296

JEFFERSON COUNTY - The State Road Department requested right of

way easement for improvement and maintenance of State Road S-158-B in Jefferson County. The easement would cover 1.45 acres, more or less, in the NW¼ of SW¼ of Section 23, Township 1 North, Range 4 East, which vested in the State of Florida under Chapter 18296, Acts of 1937, the Murphy Act, by virtue of tax sale certificate No. 164 of 1932.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the easement be granted to the State Road Department for improvement and maintenance of the state road.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
December 3, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

Before considering the regular agenda, Attorney General Earl Faircloth, as Chairman of the Subcommittee appointed recently, taking note of the fact that Mr. Parker's resignation as Director was submitted and last week was accepted by the Trustees, suggested that Director Randolph Hodges of the Board of Conservation be named also as Director of the Trustees.

Mr. Faircloth said that because of Mr. Hodges' long record of service for the Board of Conservation, and since he could find no legal impediment to having him fill the two positions, he made a motion that Mr. Hodges be designated as Director of the Internal Improvement Fund.

Mr. Adams seconded the motion, stating that it was a most appropriate action in view of the constitutional mandate to reorganize the executive functions of government and also in recognition of the fact that one of the Trustees' problems had

been the lack of field force and personnel. Such field personnel of the Board of Conservation could serve to combine the administration of both boards as an efficient operation.

The motion was adopted unanimously.

LEON COUNTY - Dedication. The Board of County Commissioners of Leon County requested road right of way through land in Section 34, Township 1 North, Range 1 East, recently acquired by the Department of Agriculture from the United States, being a portion of the Federal Correctional Institution surplus property. The proposed road would be located along the north boundary of the state land, offering access to tracts being acquired by the Leon County School Board, County, and City of Tallahassee.

The Department of Agriculture reviewed and approved granting the request without charge for the right of way. Staff recommended dedication to Leon County for road purposes only.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees dedicate the requested right of way to Leon County for road purposes only, without charge.

BROWARD COUNTY - File No. 2158-06-253.129. On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of disclaimer to Venetian Incorporated under the provisions of Section 253.129 Florida Statutes, for handling charge of $10.00, covering a parcel of sovereignty land in New River Sound in Section 12, Township 50 South, Range 42 East, City of Fort Lauderdale, containing 0.93 acre which was filled prior to May 29, 1951.

BROWARD COUNTY - Staff requested authority to issue ex parte disclaimer covering two separate parcels of land shown as being sovereignty in character on the plat of Wahoo Beach filed in the public records of Broward County, Florida, in March of 1925, but which are and have been upland in character since the early part of the 1930's, the change in character apparently having been caused by accretion or an avulsion. The two parcels containing 0.71 acre lying in Section 29, Township 48 South, Range 43 East, Broward County, had been developed properties since prior to 1937.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that ex parte disclaimer be issued for handling charge of $25.00.

DUVAL COUNTY - File No. 2134-16-253.03. In connection with the bulkhead line approved by the Trustees on November 26, 1968, Mr. F. Bradley Kennelly, attorney for Jacksonville Port Authority, submitted an application for permanent and temporary spoil area easements in Sections 22, 23 and 26, Township 1 South, Range 28 East, in the Hannah Mills - Sisters Creek complex. The easements were requested on behalf of the United States for the Jacksonville Harbor and St. Johns River deepening projects.

Acreage contemplated was a total of 93.70 acres, of which 34.30 would be under temporary spoil easement for a period not to

exceed 5 years, and 59.40 acres under permanent easement.

The biological report on the area, considered last week then the bulkhead line was approved, was unfavorable to filling of the lands involved. Staff requested authority to advertise the easements for objections only.

The Director said the application was discussed at the liaison staff meeting and it was proposed that the easement if issued be conditioned upon the diking of the Hannah Mills Creek area to prevent silting and filling of the water of the creek, but the Trustees' Staff did not think the United States would accept such conditions. Last week the North Shore Corporation representative said they were willing to assume the cost of diking whatever had to be diked, and the Attorney General said he would like to have any such commitments clarified before issuance of the easement. The Director also mentioned a letter from the Engineering Division of the Corps of Engineers which stated that it was not planned to place spoil in any of the major creeks within the spoil areas and he thought the Staff could have those matters clarified within the time the easement was being advertised.

On motion by Mr. Faircloth, seconded by Mr. Christian, the Trustees authorized advertisement for objections only.

DUVAL COUNTY - Mr. F. Bradley Kennelly, attorney for the Jacksonville Port Authority, also submitted an application for permanent pipeline easements on behalf of the United States in connection with the spoil area easements in the above item. The pipeline easements would be 60 feet wide in Sections 22 and 25, Township 1 South, Range 28 East, crossing a part of Cedar Point Creek and a part of Sisters Creek, both adjacent to the Hannah Mills and Sisters Creek spoil area complex.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted, that the Trustees authorize issuance of the pipeline easements as required for the project.

PALM BEACH COUNTY - File No. 20494"B"-50-253.123 and 253.124. Staff recommended approval (1) of fill permit issued by the City Commission of the City of Lake Worth in meeting September 3, 1968, to the said city as owner and Gulfstream Plaza, Inc., as lessee, to fill a 13-acre tract of submerged land in Lake Worth in Sections 26 and 27, Township 44 South, Range 43 East, Palm Beach County; also (2) requested authority to issue dredge permit under provisions of Section 253.123 Florida Statutes to remove 88,000 cubic yards of material from the designated dredging area lying immediately west of the subject 13-acre tract and bayward of the bulkhead line.

By Deed No. 20494 dated September 23, 1953, the Trustees conveyed said tract with other bottom lands in fee simple without consideration and with a restrictive public purpose clause with reverter. On March 1, 1955, the Trustees released the restrictive covenant as it applied to the 13-acre parcel for the consideration of $100.00 per acre payment for the land from the City of Lake Worth. In recognition of the release of the public purpose clause which was in the original deed as to the 13 acres, the Staff thought the city should pay the usual charge for fill material. The city remitted the sum of $8,800.00 in payment for the material.

The city's application was placed on the agenda because the Staff

construed it to be a public project and therefore not within the purview of the moratorium. The public interest of the City of Lake Worth appeared to justify favorable recommendation on the project although the biological report might be construed as adverse, in that it indicated that seagrasses do not occur on the submerged land at this time but if the water quality of Lake Worth were to be improved it was likely that seagrasses would become established in the area. (Report dated August 15, 1968.)

There were present on behalf of this application Mr. Ray Pearson, attorney for Gulfstream Plaza, Inc.; Mr. Ray Steinhardt and Mr. Jack Adair for the developer, the latter an engineer and also on the Palm Beach Area Planning Board; Mr. George Ingersoll, Vice-Mayor of the City of Lake Worth, City Commissioner C. Ken Miller, and City Attorney John B. Waddell. The presentation included statements that the bulkhead line was in line to the north and south with other bulkhead lines, that the city had no marina and this project conceived in 1957, planned for ten years, approved by all local officials and citizens, was for lease, already executed and approved by the court in a test case, to Gulfstream Plaza, Inc., of the city property already placed on the tax rolls, the marina to be constructed by lessee and operated for ten years, if then found to be a losing proposition offered back to the city without charge. The marina would be for the public, under regulation by the city, would bring in an anticipated revenue of $100,000 per year, a great economic factor to the city, in a recessed area between other projecting fills, and while the city realized the movement toward conservation, it was stated that land exposed at low tide would not be high in marine life.

Mr. Waddell presented the basic facts and added that in the instrument the city had preserved easement to allow for widening of the bridge and a setback for widening of A1A. The city-owned upland was leased for another phase of the development - a shopping center and motel, and while title remained in the city, under lease the land was on the tax rolls of city and county.

Mr. Waddell had appeared before Palm Beach Area Planning Board on the matter, but because it had not at that time been considered by the Trustees the Planning Board felt it should not take action. He was sure they would consider it now.

Mr. Faircloth moved adoption because of the staff recommendation, the worthiness of the project and his confidence in the parties making the presentation.

Mr. Adams expressed the opinion that the public aspects were out by virtue of the payment by the city for release of the restrictive covenants, that the use was not public if leased by a private company, that it would not be consistent with other cases turned down by the Trustees, the City of Bradenton, for instance, and under the present moratorium he did not think the application should have been on the agenda since it fell neither under the emergency clause or as a public purpose. He said the Trustees had taken the position that such matters should be passed by the Palm Beach Planning Board before the Trustees considered them for development of a master plan for the use of the waterfront areas.

The Director said in his opinion this was still a public project because the City of Lake Worth owned fee title, that the Staff felt it was in the public interest of the city, but it was up to the Trustees to make such decisions. He said in the Bradenton matter, it was a dedication.

There were further questions and discussion, and the Director was asked when the moratorium would expire. Mr. Parker said that on October 15, 1968, the motion had been for a moratorium for not less than two months nor more than three months. Mr. Conner said they should be consistent, and the city would be in a better position after the moratorium was lifted.

Mr. Faircloth then made a motion that the application by the City of Lake Worth for dredge and fill permit be referred to the Palm Beach Area Planning Board and be rescheduled for consideration by the Trustees at such time as there is a recommendation from that board or after the moratorium was lifted, whichever occurs the later.

The motion was seconded by Mr. Christian and Mr. Conner, and unanimously adopted.

ORANGE COUNTY - Dredge Permit, Section 253.03. Mr. H. M. Armantrout of Orlando, Florida, applied for permit to remove silt material from Lake Maitland adjacent to his upland Lot 6, Green Oaks Second Re-Plat, Plat Book Q, Page 96, Public Records of Orange County, Florida. Silt was to be removed from a strip of land 90 feet long with an average width of 10 feet, adjacent to and parallel to a seawall constructed on applicant's upland. Applicant tendered his check for $50.00, minimum payment. The silt would be replaced by trucked-in sand to improve the lakefront.

Florida Game and Fresh Water Fish Commission had no objection to the work subject to standard stipulations in the permit.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the permit.

POLK COUNTY - Dredge Permit, Section 253.03. Mr. J. R. Paul applied for permit to dragline two canals in Lake Streety in Section 24, Township 32 South, Range 27 East, Polk County, to deepen the area around the foot valves which were a part of his irrigation system used to irrigate 116 acres of citrus groves. The application appeared on the agenda for October 22, 1968, and was withdrawn at that time at the request of the Florida Game and Fresh Water Fish Commission for further checking. The Commission offered no objection at this time, subject to standard stipulations in the permit.

The applicant tendered check for $50.00, minimum charge, for the removal of 40 yards of material which would be placed on his upland.

On motion by Mr. Christian, seconded by Mr. Faircloth and Mr. Adams, the Trustees approved issuance of the dredge permit.

OKALOOSA COUNTY - Dock Permit, Section 253.03. Robroy Industries, Inc., of Destin, Florida, applied for permit to construct an addition to an existing dock and to construct 18 boatslips in Old East Pass Lagoon at Destin Moreno Point in Township 2 South, Range 23 West, Okaloosa County. All required exhibits including $100.00 processing fee were submitted.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of state commercial dock permit.

DADE COUNTY - Dredge Permit, Section 253.123. Goteck Investments, Inc., of Coral Gables, Florida, applied for permit to construct a boat basin in Biscayne Bay in Section 32, Township 54 South, Range 42 East, Dade County, in the area in which the Trustees authorized construction of three docks under permit issued May 28, 1968. Applicant was under the impression that the basin construction was authorized at the same time the dock permit was approved. He tendered his check for $500.00 as payment for 5000 cubic yards of material removed from the boat basin and placed on his upland.

The Board of County Commissioners of Dade County by Resolution R-896-68 adopted on August 6, 1968, authorized issuance of a permit for the dock and dredging project.

Mr. M. B. Garris, Jr., applicant's engineer, explained the emergency, that developers of a condominium planned to provide dockage for the occupants of the apartments, they had the permit to build the docks but the water was only one to two feet deep and dredging a small basin was necessary to get the boats up to the docks. The applicant had thought the dock permit would include dredging at the same time. The material dredged would be placed on upland behind the existing bulkhead.

Mr. Adams said that since the Trustees gave the applicant a dock permit in May, the question was their responsibility to allow dredging to insure access to the docks. Mr. Christian was in favor of dredging to provide access, the applicant to pay for the material removed.

Asked for comments, Mr. Kenneth D. Woodburn of the Board of Conservation said the applicants had accommodated their plans to comply with suggestions in the biological report.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the dredging permit.

The following five applications for dock and dredge permits were prepared as an addendum to the agenda and on motion by Mr. Faircloth, adopted without objection, the rules were waived for the Board to consider the applications on this date.

DUVAL COUNTY - Dock Permit, Section 253.03;
Dredge Permit, Section 253.123. File No. 158.

Mr. Dan Singleton, represented by Harbor Engineering Company of Jacksonville, Florida, applied for permit to construct a marina and boat basin in the St. Johns River in Section 38, Township 1 South, Range 29 East, at Mayport, Florida. Construction of a basin would be accomplished by dragline and the material trucked away. The Director advised that only a small amount of material would be removed from the channel within the maximum size dimensions according to Trustees' policy.

The Florida Board of Conservation survey indicated no significant adverse effects on marine life. All required exhibits, including $100.00 processing fee, were submitted, and Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the application for dock

and dredging permits.

PASCO COUNTY - Dredge Permit, Section 253.123. File No. 146. Mr. James V. Hodnett, Jr., Sea Pines, Inc., of Hudson, Florida, applied for a permit to construct a navigation channel 5,000 feet long by 40 feet wide and 3 feet deep in the Gulf of Mexico extending from applicant's upland in Section 21, Township 24 South, Range 16 East, Pasco County, in an area of the gulf which was extremely shallow. The five-foot contour was located 3.3 miles offshore from the mainland.

The Florida Board of Conservation reported that marine life, fisheries or habitats would not be significantly or adversely affected by dredging a 50-foot wide by 3-foot deep channel from the shoreline to deeper water across the shallow rocky bottom in the subject area, and placing the dredge material behind the line of mean high water. The Board of County Commissioners of Pasco County on September 10 approved the project.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123. File No. 157. Mr. Albert Golden of Milton, Florida, applied for permit to clean out and extend an existing channel in Escambia or East Bay in Section 3, Township 2 South, Range 28 West, Santa Rosa County. The material removed would be deposited on applicant's upland, and channel dimensions did not exceed the Trustees' criteria.

The Florida Board of Conservation reported scattered marine life in the shallow area, that construction would have some adverse effects, but that the damage would be minimized if all spoil was placed on existing upland.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of the permit.

SARASOTA COUNTY - Dock Permit, Section 253.03,
Dredge Permit, Section 253.123.
Application was made by Fishermans Cove, Inc., of Sarasota, Florida, for permit to construct boat slips and docks, and to dredge for navigation along the seawall constructed in Blind Pass in Section 32, Township 37 South, Range 18 East, Sarasota County. The material removed would be placed on upland property.

The Florida Board of Conservation reported the project was not extensive but involved the reduction of valuable marine grasses and associated algae, and recommended that the minimum amount of material be removed and that areas not utilized remain intact.

All required exhibits including $100.00 processing fee were submitted.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and Mr. Adams, and adopted without objection, that dock and dredge permits be issued.

ST. JOHNS COUNTY - Dock Permit, Section 253.03,
Dredge Permit, Section 253.123, File No. 147.

Mr. Floyd L. Boatwright, for Boatwright's Marina, Inc., of St. Augustine, Florida, applied for permit to construct a dock and dredge a boat basin in the vicinity of the dock in the North River in Section 5, Township 7 South, Range 30 East, St. Johns County.

The Florida Board of Conservation reported the proposed work should not have significant or adverse effects on marine life or fisheries.

All required exhibits, including $100.00 processing fee, were submitted.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the dock and dredge permits.

Mention was made of the hearings being scheduled by the Director in certain local areas for discussion and information gathering on the aquatic preserves recommended in Report No. 2 of the Interagency Advisory Committee. At the request of Mr. Faircloth, the Director said he would cancel the hearings.

TRUSTEES' FUNDS - On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized the State Board of Administration to reinvest in like securities the funds of the Trustees now in short-term U. S. Treasury bills in the amount of $204,000.00 (par value) maturing on December 12, 1968.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Adams, duly adopted, the Trustees approved Report No. 943 listing 1 regular bid for sale of land in Alachua County under provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR - SECRETARY

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12-3-68

Tallahassee, Florida
December 10, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

On motion duly adopted, the Trustees approved the minutes of the meetings of November 26 and December 3, 1968.

BROWARD COUNTY - Dredge Permit, Section 253.123, File No. 151.
Dock Permit, Section 253.03.
Aiden, Inc., represented by Arthur V. Strock and Associates, applied for permit to construct a dock and boat basin in the Intracoastal Waterway in Section 8, Township 48 South, Range 43 East, Broward County. The material removed would be deposited on applicant's upland property. All required exhibits, including $100 processing fee for the dock permit, were tendered. Also, applicant tendered his check for $41.15 as payment for the material at the rate which was in effect at the time the application was made.

Florida Board of Conservation reported the submerged lands in the subject area were sandy and unvegetated, and the project should not have significant adverse effects on the marine life of the area.

On motion made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, the Trustees authorized issuance of permits for the commercial dock and dredging for the charge of $100 for dock permit and $41.15 payment for the material.

DADE COUNTY - Dock Permit, Section 253.03. Seacoast Towers Five of Miami Beach, Florida, applied for a permit to construct a dock and mooring piles in Indian Creek in Section 14, Township 53 South, Range 42 East, Dade County. All required exhibits, including $100 processing fee, were tendered.

On motion by Mr. Christian, seconded by Mr. Adams and Mr. Faircloth, and adopted unanimously, the Trustees authorized issuance of the state commercial dock permit.

DUVAL COUNTY - Dredge Permit, Section 253.123, File No. 179.
Hess Oil and Chemical Corporation, represented by Harbor Engineering Company of Jacksonville, Florida, applied for permit to do maintenance dredging in applicant's Heckscher Drive marine terminal in the St. Johns River in Section 47, Township 1 South, Range 27 East, adjacent to Cut 49, Main Ship Channel. Said terminal was constructed under

Department of the Army Permit SAJSP 57-352 in 1957 and 1958.

All material removed in the maintenance dredging would be deposited on adequately diked upland. Staff requested waiver of biological or ecological survey as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Faircloth, seconded by Mr. Christian and Mr. Conner, the Trustees approved issuance of the permit for maintenance dredging.

POLK COUNTY - Dredge Permit, Section 253.03. Mr. Clifford B. Hyder of Lakeland, Florida, applied for permission to construct a navigation channel and boat basin in Lake Gibson adjacent to Lot 6, Block A, Gibson Park according to the plat thereof as recorded in Plat Book 40, Page 8, Public Records of Polk County, Florida. The material removed would be deposited on applicant's upland, and applicant tendered check in the amount of $50, minimum fee, as payment for the material.

Florida Game and Fresh Water Fish Commission offered no objections to the proposed work subject to standard stipulations as to dredging.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permit to dredge a navigation channel and boat basin.

SARASOTA COUNTY - File No. 2019-58-253.12. Presented for reconsideration of the action taken on September 24, 1968, was the application by Per A. O. Scheutz, et ux, of Sarasota, Florida, to purchase a parcel of sovereignty land in Sarasota Bay in Section 24, Township 36 South, Range 17 East, City of Sarasota, landward of the established bulkhead line, containing 0.93 acre, more or less, desired for landscaping purposes to enhance applicant's adjacent upland to be used for apartment construction. The applicant advised that he would accept deed subject to a drainage easement in favor of the State Road Department running diagonally across the parcel.

Placed on the agenda for reconsideration at the request of the State Comptroller, the application, on which the Board of Conservation report was not adverse, was advertised for objections only and on September 24 after hearing objections, the Trustees denied the sale apparently because of the question of valuation.

Mr. R. E. Lowrey, Jr., M.A.I. Appraiser who made the appraisal of the parcel of land, was present on this date to answer any questions regarding his original appraisal and to present an updated appraisal. On being informed that he was present in an appraiser-client relationship with the Trustees, he said he had been appraising for the Trustees for 10 years, and his professional appraisal which considered the easement across the property and was brought up to date as of November 22, 1968, valued the parcel at $26,500, on the basis of $28,500 per acre subject to the easement. He answered a number of questions, stating that part of the land was submerged, it would require fill to be utilized according to the city zoning requirements, that there were inaccuracies or inconsistencies in another report which had been mentioned and property being compared to the subject parcel was not in the same condition, that the easement would restrict any future building, and access was limited. Mr. Lowery said the price was very high for land in its proposed ultimate form. His original

appraisal made about a year ago was made when he was not aware of the drainage easement, and he subsequently advised the Trustees that the detriment to the property could vary. The State Road Department has advised that they do not wish to release the easement, but it could be used with a drainage pipe.

Mr. Christian said it looked like a true value, he didn't see how the state could benefit by holding the parcel, that the county would benefit by having it on the tax roll. Mr. Dickinson said he had investigated on the site, that the applicant was trying to beautify an unsightly parcel in front of his development, and Mr. Faircloth said there was no adverse biological report, no dredging involved, no building construction was intended but only landscaping, and the only problem was the price.

Motion by Mr. Faircloth to approve the sale was seconded by Mr. Dickinson but questions by Mr. Adams followed and no vote was taken.

Mr. Adams found it difficult to justify the sale at that price since there was considerable difference of opinion in the area of comparable properties. Also he said that denial on September 24 closed the file, there had been no new advertisement or notice to objectors, that it was denied during the moratorium and he could find no public purpose or emergency involved.

There was discussion about the necessity to readvertise and regarding a use restriction and reverter in the deed. Mr. Faircloth said he intended that the deed contain a reverter.

Mr. Adams said that since the technical questions were raised, he moved that the application be reconsidered. Motion was seconded by Mr. Dickinson and unanimously adopted. Whereupon Mr. Faircloth made a motion, seconded by Mr. Dickinson, that the sale be approved with the reverter in the deed.

Senator Joseph A. McClain, Jr., attorney for the applicant, said it was agreeable to the owners of the upland to have a reverter clause so that no building would be constructed and if the parcel ceased to be used for beautification it would revert to the state. Mr. Williams said that was his understanding, no buildings but only beautification or recreation. Mr. McClain continued by explaining that his basis for asking for reconsideration was that he felt the Board had received misinformation on this application, pending for one and one-half years. There would be no building on the parcel, it would not be income producing, there were two thirty-foot building setbacks required by the city plus a thirty-foot ditch or easement in the middle. As to readvertising the sale, he did not know what the Trustees' procedure required but further delay would be undesirable for his client's building plans.

Members questioned whether the moratorium affected this application which began prior to the moratorium. Mr. Williams said it would not violate the considerations which the moratorium was enacted for and he saw no reason not to let the land get on the tax rolls. Mr. Conner said he could vote in favor with a reverter in the deed, but he did not consider it an emergency and if it fell within the moratorium he would like to hold it until the expiration of the moratorium.

Mr. Adams said he did not realize that the motion intended that sale be reconsidered on this date, that the impropriety of no additional advertisement or notice and sale without public purpose or emergency were involved in a moratorium period, and that consistent procedures should be followed.

Governor Kirk said he thought the members had agreed that the moratorium did not apply, but he was going to vote against this.

Mr. Faircloth offered a substitute motion that the application be postponed, readvertised and brought back when it was in proper form. Mr. Christian seconded the motion which was adopted.

Mr. Adams called attention to the matter of some cases in the Keys where state sovereignty land had been trespassed, and since the added personnel of the Conservation Board would be available he thought the Board would want Mr. Parker to pursue this.

Mr. Parker said the staff had already taken action to bring it to the attention of the office of the Attorney General.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved Report No. 944 listing two regular bids for sale of land in Jefferson County under the provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
December 17, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Robert C. Parker — Director

12-17-68

On motion duly adopted, the minutes of the meeting of December 10, 1968, were approved.

DUVAL COUNTY - Bulkhead Lines, Section 253.122 Florida Statutes.

Consideration was given to approval of the bulkhead lines as established by the Board of County Commissioners of Duval County located north of Heckshire Drive within Sections 21 and 22, Township 1 South, Range 28 East, and on Fanning Island within Section 25, Township 1 South, Range 28 East, on behalf of the Jacksonville Port Authority in connection with the Jacksonville Harbor and St. Johns River Deepening Project. Bulkhead lines were established primarily to define spoil areas (MSA-4, CSA-11 and CSA-12) to be used in connection with the Harbor Project.

Pursuant to Section 253.122(3), the option of obtaining a biological report lies with the State Board of Conservation. By letter dated November 15, 1968, Mr. Kenneth D.Woodburn, Chief of the Survey and Management Section of the State Board of Conservation, stated: "Because of this previous joint biological survey no further studies were or are needed for the bulkhead lines for the subject spoil areas." As the office of Attorney General concurred with Mr. Woodburn, no biological report was required although previous studies indicated that the biological environment would be adversely affected by the proposed spoiling.

In view of the fact that feasible alternate locations were not available for spoil areas, motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the bulkhead lines be approved as recommended, the description to be modified to include the following language: "Excepting therefrom,however, those portions of the hereinabove-described line lying above the mean high water line."

The Trustees acknowledged the fact that Interagency Advisory Committee Report No. 3, covering a review of bulkhead lines located in the 20 additional counties, would be submitted on December 31, 1968. It was the consensus of the Trustees that no additional time would be necessary for the presentation and for this reason it was not considered necessary to change the hour of the meeting on that date.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

Florida Power and Light Company, West Palm Beach, Florida, applied for permit to install a submarine electric cable crossing the South Fork of the St. Lucie River in Section 17, Township 38 South, Range 41 East, Martin County, north of State Road No. 714. The installation was in connection with the relocation of electric pole line facilities to clear construction of the SR 714 bridge by the State Road Department.

The Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the requested permit be approved.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes.

The Pinellas County Water and Navigation Control Authority approved an application from Mr. Robert M. Woods of Treasure

Island, Florida, for a dock to be constructed in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East, Pinellas County.

All required exhibits including $100 processing fee were submitted to the Trustees' office for a state commercial dock permit.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of a state commercial dock permit to Mr. Woods.

SUMTER COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Mr. Peter F. Murray of Lake Panasoffkee, Florida, applied for permit to construct a covered boat storage structure in Section 33, Township 19 South, Range 22 East, Sumter County. All required exhibits including $100 processing fee were submitted.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of state commercial dock permit to Mr. Murray.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 181.

The City of Gulf Breeze, Florida, applied for permit to install a sewer outfall in Santa Rosa Sound in Township 3 South, Range 29 West, Santa Rosa County.

The Air and Water Pollution Control Commission and the State Board of Health had no objection to the installation. Since the public need would be served, requirement of a biological study was waived as provided under Section 253.12(3)(a) Florida Statutes.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit to the City of Gulf Breeze.

BREVARD COUNTY - Dredge and Fill Permits, File No. 1943-05-253.124 and 253.123 Florida Statutes.

Merritt Square Corporation applied for a permit under the provisions of Section 253.124 Florida Statutes, to fill a 7.70 acre parcel of submerged land in Newfound Harbor in Section 36, Township 24 South, Range 36 East, Brevard County, under contract to purchase as included in subject file. This permit was approved by the Engineering Department of Brevard County, Florida, on September 13, 1968.

Merritt Square Corporation also applied for a permit under the provisions of Section 253.123 Florida Statutes, to remove 333,203 cubic yards of material from the designated and approved dredging area lying east of the subject area and bayward of the bulkhead line. Of this total amount, 51,271 cubic yards would be required to fill to criteria the dedicated county roadway through this project and the applicant remitted the amount necessary to cover cost of the remaining cubic yardage at the rate of 10¢ per cubic yard.

Although there was an adverse biological report dated December

21, 1966, submitted at the time the bulkhead line for this area and this particular sale were considered and approved by the Trustees, the Board on April 25, 1967 and November 21, 1967, concluded that the public aspects and interest to be served to the county appeared to justify approval of the project.

This application was placed on the agenda at the request of Treasurer Broward Williams by letter dated December 12, 1968.

Messrs. James S. Taylor, Allston and Jewell were present to answer any questions that might arise. Mr. Allston and Mr. Jewell represented the Chamber of Commerce, and Mr. Taylor was attorney for the applicant.

On motion by Mr. Williams, seconded by Mr. Dickinson, the Trustees approved the dredge and fill permits as recommended by the Staff.

The Governor and the Secretary of State voted against the motion, which carried on a vote of four to two.

WALTON COUNTY - Section 253.03 Florida Statutes.

The Florida Board of Parks recommended and requested authority to accept by donation the property of Miss Lois G. Maxon located at Point Washington on Choctawhatchee Bay. Known as "Eden", the home is a beautiful two-story colonial mansion situated on approximately 10 acres of land. Miss Maxon desired to convey the land and structures to the State of Florida without cost conditioned upon the estate being used as a public park and historic memorial, and that she be allowed to occupy the large structure as her home rent free from January 1, 1969 to June 30, 1973.

During her occupancy Miss Maxon will contribute $12,000 per year to the Park Board for continuing the development and maintenance of the grounds. At a later date the furnishings and art objects will be transferred to the State. Value of the estate had been appraised at $186,000. Title insurance will be furnished by Miss Maxon. She desired to convey her property to the State not later than December 31, 1968.

Assistant Attorney General Halley B. Lewis assisted in the negotiations with Miss Maxon and her attorney, Earle R. Thompson, Jr., of Panama City, and was present at the Trustees' meeting to answer questions.

Motion was made by Mr. Faircloth, seconded and unanimously adopted, that this property be accepted under the conditions outlined above, subject to approval of the title and terms of the conveyance by the Attorney General.

PUTNAM COUNTY - Section 253.03 Florida Statutes.

The State Road Department requested dedication of 30.45 acres of land for construction, improvement and maintenance of State Road No. S-309. The required right of way was part of the University of Florida Conservation Reserve. In securing the right of way, certain improvements would be affected. The Board of Regents and State Road Department reached a satisfactory settlement as to damages to improvements located on the required right of way. An agreement was drawn and approved by the Attorney General between the Trustees, State Road Department and Board of Regents whereby

the Board of Regents would receive from the Road Department $9,330 as reimbursement of damages to the property being taken for right of way.

As a portion of the new right of way would eliminate existing permanent fire lines, the Road Department agreed to construct new fire lines to replace those lost in the widening of the road. In order to relocate the fire lines, the Road Department requested the Trustees to grant specific authorization by means of a permit which has been approved by the Board of Regents and Attorney General.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the agreement and permit and issuance of dedication of right of way to the State Road Department subject to the return to the Trustees of any surplus right of way resulting from relocation of the road.

DUVAL COUNTY - On motion made by Mr.Adams, seconded and adopted unanimously, the Trustees authorized issuance of an easement to Jacksonville Electric Authority for the purpose of constructing an electric distribution line to furnish electric power to the radio tower located on the former Highway Patrol station site near Marietta on U. S. Highway 90. The Bureau of Law Enforcement was leasing the property from the Trustees, with the Highway Patrol maintaining continued use of the radio tower.

TRUSTEES OFFICE - Printing. Bids were requested on December 16, 1968, for stationery and office forms (Class I Printing) for use in the Trustees' office. Payment would be made from budgeted funds. The following bids were received according to the specifications:

Rose Printing Co., Inc.	$937.97
Triad Printing Co., Inc.	867.93
The St. Petersburg Printing Co., Inc.	586.00
General Office & Printing Co.	579.00
Dupart, Inc.	461.55

On motion by Mr. Adams, seconded and adopted unanimously, the Trustees accepted the low bid from Dupart, Inc.

The Trustees by official action taken at the meeting of November 26, 1968, accepted the resignation of the Director, Robert C. Parker, and requested Attorney General Earl Faircloth to draft a suitable resolution thanking him for his services. Pursuant to this action, the Attorney General submitted the following resolution which was unanimously adopted.

RESOLUTION

WHEREAS, Robert C. Parker was appointed Director of the Trustees of the Internal Improvement Fund on November 1, 1964, after earlier public service as an Assistant Attorney General of Florida and as a Mayor and Commissioner of the City of Tallahassee; and

WHEREAS, Robert C. Parker organized a Land Division which, by Legislative mandate, now holds title in the Trustees to virtually all State lands and is responsible for overall

direction and management of all such properties through the many using agencies; and

WHEREAS, Robert C. Parker has served as Director of the Trustees of the Internal Improvement Fund during the difficult period of transition and readjustment from the pioneer days of rapid and sometimes inadequately planned development of Florida's natural resources to its current era of continuing rapid growth as a more mature state which must broaden its resource planning so that all future residents and visitors to the state can be assured of the use and benefit of publicly-owned marine assets; and

WHEREAS, Robert C. Parker on December 3, 1968, did submit his resignation as Director;

NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund of Florida, in recognition of the many years of public service by Robert C. Parker at the state and local levels, do hereby express their official appreciation to him and wish him all success in his endeavors in the years ahead.

IN WITNESS WHEREOF, we place our hands and seals this December 17, 1968.

CLAUDE R. KIRK, JR.
Governor
TOM ADAMS
Secretary of State
EARL FAIRCLOTH
Attorney General
FRED O. DICKINSON, JR.
Comptroller
BROWARD WILLIAMS
Treasurer
FLOYD T. CHRISTIAN
Superintendent of Public Instruction
DOYLE CONNER
Commissioner of Agriculture

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

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Tallahassee, Florida
December 31, 1968

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer

Robert C. Parker — Director

On motion duly adopted, the minutes of the meeting of December 17, 1968, were approved.

Mr. Broward Williams, State Treasurer, asked the Trustees to give consideration to a proposal in a memorandum which he had forwarded to each member, that the Trustees extend the moratorium on the sale and dredging and filling of submerged lands beyond the January 15, 1969, expiration date, until either the end of the next regular session of the Legislature or until the Legislature sets forth guidelines for the handling of these submerged lands, whichever comes sooner. He made this proposal as a motion.

Mr. Williams said his reasons were that conservation of our natural resources had been his predominant consideration in handling application for purchasing, dredging and filling of state lands, subject only to an overriding public interest; that a state-wide moratorium in effect for several years, imposed to enable the Legislature to study and recommend guidelines, had resulted in the Randell Act which was good but not strong enough and Legislative Committees were working in preparation for the 1969 session on these matters; that Director Randolph Hodges of the State Board of Conservation, assuming the additional and temporary duties of Director of the Internal Improvement Fund, would need time to reorganize the Internal Improvement Fund Staff and to develop a more effective system to handle applications for the purchase, dredging and filling of state lands.

Mr. Williams said he would like to see the moratorium extended, to permit the consolidation of the agency to proceed more efficiently and to permit the institution of some systems which Mr. Parker and some others had worked on, which would be available to Mr. Hodges.

Attorney General Faircloth questioned whether the right policy would be to keep extending the moratorium or to proceed with the business of implementing the reports of the Interagency Committee on Submerged Land Management. He thought that implementation of the reports, particularly No. 3, would obviate the necessity of extending the moratorium. There had been no second to Mr. Williams' motion, and Mr. Faircloth proposed a substitute motion, as follows:

> I move that Report No. 3 of the Interagency Committee on Submerged Land Management be adopted and that this statement of Trustees' philosophy, as contained in Reports No. 1 and No. 3, be transmitted to all county commissions, municipal officials and other local public bodies having initial authority in this regard, with the recommendation that these bodies use these reports and the criteria set forth in the

Trustees' printed administrative rule number 200-2.02 "Bulkhead Line Criteria", as amended by the Trustees on May 7, 1968, as guides in reviewing existing bulkhead lines and establishing new bulkhead lines within their jurisdictions; and

That the Director be instructed to report within 60 days on what, if any, action has been taken by these local authorities with respect to recommendations contained in these Reports No. 1 and No. 3, relating to 29 counties.

Mr. Parker advised the Trustees that Report No. 1 had already been sent to counties and municipalities.

Secretary of State Tom Adams recalled that the Board had given assurance to several groups that before any boundaries were set or estuarine areas approved, public hearings would be held. A series of public hearings had been set up but postponed at the request of the Trustees, and Mr. Adams said the assurances given to the public generally should be heeded before actual adoption of the estuarine areas.

Mr. Faircloth said that had reference to Report No. 2, not involved in his motion. He added that adoption of the motion would set forth Reports No. 1 and No. 3 as Trustees' philosophy and put the reports in the hands of local authorities, but would not preclude going ahead with hearings on the boundaries of the aquatic preserves.

The motion made by Mr. Faircloth, set out above, was seconded by Mr. Adams and upon vote, adopted unanimously.

Governor Kirk thanked Mr. Hodges, Chairman of the Interagency Advisory Committee, for presentation of Report No. 3.

As information, it was noted that Report No. 1 covered review of bulkhead lines in nine (9) counties, being Brevard, Dade, Monroe, Palm Beach, Pinellas, Lee, Manatee, Duval and Sarasota Counties, and was considered by the Trustees in special meetings on September 3 and 17, 1968. Report No. 3 covered the review of bulkhead lines in twenty (20) additional counties as set forth in the following report.

REPORT NUMBER 3
TO THE
TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
BY THE
FLORIDA INTERAGENCY ADVISORY COMMITTEE
ON SUBMERGED LAND MANAGEMENT

BULKHEAD LINE REVIEW AND RECOMMENDATIONS FOR BAY, BROWARD, CHARLOTTE, CLAY, DIXIE, ESCAMBIA, FLAGLER, FRANKLIN, GULF, HERNANDO, JEFFERSON, LEVY, NASSAU, OKALOOSA, PUTNAM, ST. JOHNS, SANTA ROSA, TAYLOR, WAKULLA, AND WALTON COUNTIES

INTRODUCTION: Twenty counties are covered by this report. Nine (Dixie, Flagler, Hernando, Jefferson, Levy, Nassau, Putnam, Wakulla, and Walton) have no state-approved bulkhead lines. Clay, Escambia, Okaloosa, and Taylor Counties have only two bulkhead lines. Franklin, St. Johns, and Santa Rosa have three bulkhead lines. Bay, Charlotte, and Gulf Counties have four bulkhead lines. These counties with no or few bulkhead lines present an excellent opportunity for use of the bulkhead line as a valuable planning tool to encourage and promote conservation and orderly development.

The Committee recommends that bulkhead lines be established at the mean high water in those areas where there are no bulkhead lines, except in cases supported by ample evidence that such departure is in the public interest.

BAY COUNTY: East Bay, North Bay, West Bay, and St. Andrews Bay comprise a large inshore fishing and recreational area for the residents of Panama City and neighboring inland counties, and tourists, particularly from Deep South states. Much of the shoreline of these bays is high enough for human habitation and development without filling. Bulkhead lines in Fannin Bayou and Goose Bayou are recommended for relocation to the mean high water line. Bulkhead lines in Watson Bayou and along the north shore of St. Andrews Bay toward Hathaway Bridge are recommended for confirmation.

BROWARD COUNTY: Broward County has much coastal development and many bulkheads (seawalls) containing filled real estate. Broward has little in common with the other coastal counties included in this report.

Even before the extensive dredging and filling to create the Venetian-like downtown waterfront of Ft. Lauderdale and vicinity, Broward County's open estuarine areas were limited. Much of the waterfront real estate has been created at the expense of mangrove habitat. Except for mangrove growth remaining at the southern end of Port Everglades, which is now slated for dredging to harbor the "Queen Elizabeth", there is little biologically productive habitat. Inshore commercial fishing is practically non-existent. The valuable sport fishing industry is based on ocean and Gulf Stream resources. Therefore, all existing bulkhead lines in Broward County are recommended for confirmation.

CHARLOTTE COUNTY: The 1967 State Legislature abolished a county-wide bulkhead line that took in all mangrove shorelines and islands and thousands of acres of shallow grassy bay bottoms supporting one of the best sport and commercial fishing areas in Florida as well as outstanding outdoor recreational areas. Since then, bulkhead lines have been submitted to and approved by the county on a piecemeal basis. Except for three piecemeal bulkhead lines, the lines approved by the State so far have not been extensive or potentially adverse to the uses by the public of open waters and sovereign lands, but there is at least one large off-shore area on the eastern side of Charlotte Harbor encompassed by bulkhead lines approved by the county that would significantly and adversely affect marine resources if approved by the State and followed by dredging and filling. The Committee recommends location of the bulkhead line in this area at the line of mean high water. Piecemeal bulkhead lines on Manasota Key north of Stump Pass, at the northern approach to Barron Collier Bridge, and on the northeastern side at Placida Harbor are recommended for relocation to the line of mean high water.

CLAY COUNTY: The meandered western shoreline of the St. Johns River brings this interior county into bulkhead line considerations. One bulkhead in Orange Park is recommended for confirmation. Another line at Doctors Inlet in recommended for relocation to the line of mean high water for orderly shoreline development. The Committee feels that the beauty of the St. Johns River should be protected from encroachment by fills.

DIXIE COUNTY: This lightly populated county along the Big Bend of Florida has a low energy shoreline dominated by tidal marsh complexes fronting on the open Gulf of Mexico. There are no established bulkhead lines, although, as in several other neighboring counties with no or few bulkhead lines, there has been dredging and filling to

create or improve waterfront real estate.

ESCAMBIA COUNTY: A bulkhead line in Pensacola for an aircraft carrier quay is recommended for confirmation. An offshore bulkhead line for the Navarre Beach Authority that would allow the first significant filling of the open waters of Santa Rosa Sound is recommended for relocation to the line of mean high water.

FLAGLER COUNTY: Without an extensive estuarine area and with small population, Flagler County has no bulkhead lines and little pressure for inshore coastal alterations. The Intracoastal Waterway dominates a narrow strip of inshore waterfrontage between the mainland and the Atlantic barrier island lying between the Matanzas Inlet and Ponce de Leon Inlet with Marineland at its northern end and the Daytona beaches on its southern end.

GULF COUNTY: Lengthy offshore bulkhead lines in St. Josephs Bay taking in hundreds of acres of shallow grassy submerged land are recommended for relocation to the mean high water line. There has been unauthorized dredging and filling in this large protected bay.

HERNANDO COUNTY : In Hernando County, the Gulf shoreline is undeveloped. Dredging and filling have been done along the Weeki-watchee River where canals creating interior waterfront lots have been constructed. Hernando County contrasts sharply with neighboring Pasco County to the south where bulkhead lines have been set as far as 13,000 feet offshore.

JEFFERSON COUNTY: There are no established bulkhead lines in Jefferson County and no need for them since the entire Gulf shoreline and vicinity are in the St. Marks National Wildlife Refuge where no dredging and filling applications would be entertained.

LEVY COUNTY: There are no established bulkhead lines in Levy County, although the town of Cedar Key has recently approved a bulkhead line for submission to the Trustees of the Internal Improvement Fund, and the Levy County Commission has demonstrated interest in setting a comprehensive bulkhead line for its entire Gulf shoreline. Many marshes and associated tidal creeks punctuate the very irregular county coastline between the Withlacoochee and Suwannee Rivers.

Sport and commercial fishing are important to the local economy. Accurate identification and location of mean high water lines for establishing bulkhead lines, encouraging conservation, delineating boundaries between private and public lands, and facilitating development, will be essential and probably difficult in this section of the Gulf where mangroves, high marshes and low marshes intermingle.

NASSAU COUNTY: Industrial waters legislation and resultant water quality problems have concerned fishing and outdoor recreational interests more than bulkhead lines, dredging and filling in this most northeasterly Florida county. As mentioned earlier, there are no bulkhead lines.

OKALOOSA COUNTY: The western section of Choctawhatchee Bay lies in Okaloosa County. The Committee recommends confirmation of the bulk-head line in Five Mile Bayou and relocation of the other established county bulkhead lines in Santa Rosa Sound to the mean high water line. Seagrass growth is extensive in Santa Rosa Sound, one of the more picturesque boating areas in Florida.

PUTNAM COUNTY: Like neighboring Clay County to the north, Putnam County lies on the meandered western shoreline of the scenic St.

Johns River, but it has no established bulkhead lines. The Committee recommends that the same policy be followed for Putnam County as for Clay.

ST. JOHNS COUNTY: Confirmation of the bulkhead lines in the polluted San Sebastian River in the city of St. Augustine near U. S. 1 and the FEC tracts is recommended, except for one line recommended for reloation to the line of mean high water just south of State Road 214. The Tolomato and Guano Rivers and bordering marshes north of St. Augustine and the Intracoastal Waterway and associated marshes south of St. Augustine constitute a narrow but productive estuarine resource. Bulkhead lines along these scenic rivers and productive marshes should be set at the line of mean high water. Recommendations on the offshore bulkhead line immediately north of the Flagler Hospital have been deferred pending up-to-date information.

SANTA ROSA COUNTY: Relocation of the bulkhead line to the mean high water line is recommended in the Peterson Point-Wards Basin area of Upper Blackwater Bay. The bulkhead line on the east side of the southerly approach to the Pensacola Bay Bridge is recommended for relocation to the line of mean high water. The bulkhead on the easterly side of Escambia Bay between Trout Bayou and Basin Bayou is also recommended for relocation to the line of mean high water.

TAYLOR COUNTY: Confirmation of the bulkhead line at the mean high water line around Big Grassy Island is recommended. Relocation of the other county bulkhead line at Keaton Beach to the line of mean high water is recommended. There has been dredging and filling of coastal marshes at and near Keaton Beach to create waterfront real estate near or on the Gulf.

WAKULLA COUNTY: There are no established bulkhead lines in Wakulla County although there has been dredging and filling at Shell Point to create waterfront real estate from what apparently was mostly marsh or swamp and overflow land. Roughly one-third of the Wakulla coastline of the Gulf (Apalachee Bay) lies in the St.Marks National Wildlife Refuge.

WALTON COUNTY: The eastern section of Choctawhatchee Bay lies in Walton County. No bulkhead lines have been established.

FRANKLIN COUNTY: Bulkhead lines at Lanark and Alligator Point are recommended for relocation to the line of mean high water; also, a bulkhead line lying 5,200 feet offshore Bald Point at the mouth of Ochlockonee Bay is strongly recommended for relocation shoreward to the mean high water line.

CITRUS COUNTY - Dredge Permit, Section 253.03 Florida Statutes.

On July 12, 1968, application was made by Mr. Herbert L. Bergman, Jr., of Hernando, Florida, for a permit to remove 1,600 cubic yards of material from Lake Tsala Apopka in Section 19, Township 18 South, Range 20 East, Citrus County. The Florida Game and Fresh Water Fish Commission by letter dated September 20,1968, advised the Trustees' office that the work had been accomplished.

Applicant, advised that since the work had been completed the rate would be 20¢ per cubic yard, double the normal charge, tendered his checks totalling $320.00 as payment. Staff recommended issuance of the permit at the penalty rate tendered.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the dredge permit at the penalty rate.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 183

Southern Bell Telephone and Telegraph of Jacksonville, Florida, applied for permit to install a submarine conduit crossing the Miami River in Sections 37 and 38, Township 54 South, Range 41 East, in Dade County.

Staff recommended approval and waiver of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the work will serve the public need.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously the Trustees authorized issuance of the dredge permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

The Pinellas County Water and Navigation Control Authority on November 26, 1968, issued Dredge Only Permit DO-168 to the Florida Board of Parks to construct a navigation channel in St. Joseph Sound in Section 20, Township 28 South, Range 15 East, to provide boat access to Caladesi Island State Park.

The Florida Board of Conservation worked closely with the Board of Parks in planning the subject channel and spoil sites, so that disturbances to marine life and habitats would be minimized.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the dredge permit.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Coral Reef Yacht Club of Miami, Florida, applied for permit to enlarge its existing facility by constructing additional concrete dock and timber mooring piles in Biscayne Bay adjacent to Lot 17, Block 43, New Biscayne Amd., Plat Book B, Page 16, at 2484 South Bayshore Drive.

The City Commission of Miami by Resolution No. 40133 adopted on November 14, 1968, granted a conditional use of the bay bottom lands subject to the applicant meeting requirements of the Waiver of Deed Restrictions No. 19448-B dated February 22, 1968, by the Trustees of the Internal Improvement Fund. All required exhibits, including the $100 processing fee, were tendered and the Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the state commercial dock permit.

PALM BEACH COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Itvenus, Inc., of Fort Lauderdale, Florida, applied for a permit for the construction of a wooden pier in Lake Wyman in Section 16,

Township 47 South, Range 43 East, in Palm Beach County. All required exhibits, including $100 processing fee, were tendered, and Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of state commercial dock permit.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued dock permit to Jenard M. Gross Company of St. Petersburg, Florida, for construction of a 24-foot L-head dock in Placida Bayou in Section 8, Township 31 South, Range 17 East, Pinellas County.

All required exhibits, including $100 processing fee, were tendered and Staff recommended issuance of state commercial dock permit.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of state commercial dock permit.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Judge Marshall C. Wiseheart, as Trustee, and Mr. Malcolm B. Wiseheart, of Miami, Florida, applied for permission to alter the dredge permit issued by Metro-Dade on September 25, 1962, and subsequently approved by the Trustees in meeting on January 30, 1968, to comply with the recommendations of the United State Fish and Wildlife, U. S. Department of Interior, to the U. S. Army Corps of Engineers.

The relocation would provide two access channels, one at the north end and one at the south end of the applicants' ownership, and would reduce the area to be dredged from 110 acres to 42 acres, reducing the submerged land to be filled from 105 to 13 acres. Applicant offered to pay for the material removed from the channel area, the material removed to be 673,689 cubic yards.

In view of the reduction of the area and damage to marine resources therefore minimized, Staff recommended approval upon payment for the material. The Director said that the Corps of Engineers had not issued the permit previously, in recognition of the objections by the Fish and Wildlife Service, and the Staff felt that the modification was in the public interest.

Judge Wiseheart explained that they cut down the dredging area more than one-half.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees authorize issuance of the dredge permit.

LEE COUNTY - Oil and Gas Drilling Lease. Mobil Oil Corporation requested advertisement for sealed bids for an oil and gas drilling lease covering the following described land in which the Trustees hold an undivided one-half interest in the petroleum and petroleum products:

> E½ of SW¼; SW¼ of SW¼; W½ of SE¼ and SE¼ of SE¼ of Section 27, Township 46 South, Range 27 East, containing 240 surface acres, more or less.

The applicant held a lease from the surface owner covering the

remaining one-half interest, and offered the Trustees an annual rental of $1.00 per net mineral acre for a five-year primary term lease.

Staff recommended advertising for competitive sealed bids for a five-year primary term lease pursuant to law, with requirement that at least one test well be drilled within the first 2½ years of the lease to a depth of 6,000 feet or to the Sunniland formation, whichever is deeper.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized advertisement of the lease as recommended by the Staff.

DIXIE AND LEVY COUNTIES - Lease. Mr. David Elmore of Crystal River, Florida, applied for a new one-year non-exclusive lease permitting the removal of sunken deadhead timber from the Suwannee River south of U. S. Highway 19 at Fannin Springs. Recently, the applicant under expired Lease No. 2298 recovered cypress logs, leaving the pine due to lack of a market. Now there is a demand for hard pine and Mr. Elmore offered $10.00 per thousand feet for all timber recovered, which is an increase of $5.00 over the former lease. Staff recommended approval.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of non-exclusive one-year lease at the price offered for recovered timber, $10.00 per thousand feet.

DUVAL COUNTY - Easement. Due to the fact that only four members of the Trustees were present, consideration was postponed on the request of the Jacksonville Electric Authority for an easement for an electric power line across the Duval County Headquarters of the Florida Board of Forestry near Dinsmore. Such use-right would require approval of five members, it was decided.

Mr. Broward Williams brought up the subject of the Internal Improvement Fund, and some discussions he knew of regarding the make-up of this board. He recommended that the Trustees go on record and indicate to the Legislature that it should remain in the hands of elected officials, the Governor and the Cabinet, who were responsive to and elected by the people and acted in the best interest of the public. He said the matter was being discussed by members of the Legislature and others.

After brief discussion, Mr. Faircloth said he thought there would be ample opportunity to present the members' views to the Legislature and its various committees.

Governor Kirk said that the members received Mr. Williams' expression and would take it under advisement.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

12-31-68

ATTEST: Robert C. Parker
DIRECTOR - SECRETARY

* * * * * * * * *

Tallahassee, Florida
January 7, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Superintendent of Public Instruction
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved the minutes of the meeting of December 31, 1968.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.

Presented for approval was a bulkhead line in connection with the Pineda Causeway. The Trustees on October 22, 1968, upon waiver of the rules and at the request of the Board of County Commissioners of Brevard County, approved the establishment by resolution adopted by the county on October 17, 1968, of a bulkhead line in the Indian River in Sections 19 and 20, Township 26 South, Range 37 East, and in the Banana River in Sections 21 and 22, Township 26 South, Range 37 East, Brevard County.

The Trustees' Staff examined the procedures followed by the Board of County Commissioners and determined that they were not in accordance with Section 253.122 Florida Statutes, since portions of the bulkhead line constituted an amendment to an existing bulkhead line. The county was notified and took appropriate action to comply with requirements of the statutes.

Subsequently, the Board of County Commissioners of Brevard County by resolution adopted on December 12, 1968, amended and established a bulkhead line for the Pineda Causeway in the Indian River in Sections 19 and 20, Township 26 South, Range 37 East, and in the Banana River in Sections 21 and 22, Township 26 South, Range 37 East, Brevard County. All required exhibits were furnished to the Trustees' office, including information that several interested parties were present at the local hearing and that basically the same objections were made.

The Florida Board of Conservation report on this bulkhead line was discussed at the October 22 meeting of the Trustees at which time the Trustees had approved the bulkhead line. The members were furnished copies of letters dated October 2 and November 6, 1968,

from the Florida Board of Conservation to Mr. J. H. Taylor of the Brevard County Engineering Department. Director Randolph Hodges said that the errors in the county's procedure had been corrected with respect to this bulkhead line in connection with the Pineda Causeway.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and by Mr. Williams, and adopted unanimously, that the Trustees approve the bulkhead line as amended and established by Brevard County on December 12, 1968.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 186

Application was made by The Corinthian, Miami Beach, Florida, for a permit authorizing the removal of 60,000 cubic yards of sand from an area 1000 by 225 feet in a location 1000 feet offshore in the Atlantic Ocean in Section 14, Township 53 South, Range 42 East, in Dade County. The material would be used for beach nourishment adjacent to the applicant's upland, a project which was approved on this date by the Florida Board of Conservation.

The applicant executed a quitclaim deed to the Trustees, quitclaiming all right, title or interest in and to the area that would be restored under the beach nourishment project, which was recommended for approval of the Trustees.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and by Mr. Faircloth, and adopted unanimously, that the Trustees approve issuance of dredge permit and acceptance of the quitclaim deed.

INDIAN RIVER COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 187

Florida Power and Light Company of Cocoa, Florida, applied for a permit authorizing the installation of a submarine cable crossing the Indian River south of State Road No. 510 in Section 27, Township 31 South, Range 39 East, Indian River County.

Staff requested waiver of biological or ecological study as provided under the provisions of Section 253.123(3)(a) Florida Statutes, for this work which would serve the public need.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees approve issuance of the requested dredge permit.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 128

Placed on the agenda at the request of State Treasurer Broward Williams was an application from Edgewater Village Corporation of Niceville, Florida, made on July 1, 1968, for a permit to clean out and deepen an existing navigation channel and to construct a new channel 1,500 feet long by 50 feet wide by 10 feet deep parallel to the shoreline in Rocky Bayou in Section 9, Township 1 South, Range 22 West, in Okaloosa County.

Approximately 15,000 cubic yards of material would be removed and used to improve the applicant's upland, under this application. Applicant tendered check for $750.00 as payment at the existing rate for material.

The Florida Board of Conservation reported the submerged lands in the area were sandy and unvegetated, and that the work should not have adverse effects on marine resources.

Attorney General Faircloth said he would second the Treasurer's motion for approval.

Secretary of State Tom Adams said he was aware of the action the Trustees took last week adopting Interagency Advisory Committee Reports No. 1 and No. 3, but that neither of those actions had a direct effect on the moratorium which was for sixty or ninety days - ending December 15 or January 15. As the situation existed, in his opinion the dredging in this application would violate the moratorium.

Mr. Faircloth said he felt that the motion adopted last week obviated the necessity for the moratorium and would have the effect or removing the moratorium, and the Trustees could go ahead with the applications under the guidelines in Reports No. 1 and No. 3. Mr. Faircloth added that if the action last week did not have that effect he would so move.

Director Hodges said that it was his opinion that the action last week removed the moratorium and sent the bulkhead lines back to those counties for re-examination. Using the Interagency Reports No. 1 and No. 3 as the Trustees' philosophy and criteria, the counties were to review their bulkhead lines and advise the Trustees' office what action, if any, they took with respect to the recommendations in said reports. The Director had been instructed to report within 60 days.

Mr. Hodges pointed out that there had been some exceptions made as to consideration of navigation channels during the moratorium period.

On the motion by Mr. Williams, seconded by Mr. Faircloth, the Trustees approved the application without objection.

POLK COUNTY - Dredge Permit, Section 253.03 Florida Statutes

Mr. Alton H. Young of Mulberry, Florida, applied for after-the-fact permit to clean out an existing navigation channel and remove 75 to 100 cubic yards of material from the sovereignty land in Lake Rosalie in Section 21, Township 29 South, Range 29 East, Polk County. Applicant tendered check for $100.00 as payment at the penalty rate for after-the-fact permit.

The Florida Game and Fresh Water Fish Commission suggested that the applicant be required to pay maximum rate and remove the fill from state-owned land. Staff recommended issuance of after-the-fact permit with those stipulations.

Mr. Hodges said he hoped the Trustees would get away from after-the-fact applications, that the applicant cleaned out the channel and placed the material on state-owned land, the Game and Fresh Water Fish Commission recommended that the spoil be removed from state land and that the applicant be required to pay for it. Staff recommended that he be allowed to remove the spoil.

Governor Kirk asked if that was the only penalty that could be imposed and Mr. Hodges said it was at the present time. But he would like for the public to be put on notice that they would be prosecuted, and he would have some recommendations for the Trustees on this matter.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that the Trustees authorize issuance of after-the-fact permit with the stipulations recommended above.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes

The Pinellas County Water and Navigation Control Authority issued a permit to Mr. R. P. Hoffman of Clearwater, Florida, to construct a dock and boat lift adjacent to Lot 33, Unit 5-A, Island Estates in Clearwater Bay. The applicant tendered $100.00 processing fee and all required exhibits for a state permit.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that state commercial dock permit be approved.

DUVAL COUNTY - Temporary Easement, File No. 2163-16-253.03, and Permanent Spoil Easement, File 2164-16-253.03 F. S.

In connection with the Jacksonville Harbor Deepening Project, Mr. F. Bradley Kennelly, attorney for the applicant, the Jacksonville Port Authority, submitted applications for

(1) easement for temporary spoil area (CSA-11 and 12) embracing 33 acres of sovereignty land in Sections 21 and 22, Township 1 South, Range 28 East, Duval County. The owner of abutting uplands, the Gulf Stream Oil Company, had issued a temporary easement to the Authority that would expire April 17, 1973;

and (2) permanent spoil easement (MSA-4) embracing 52.5 acres of sovereignty land in Section 25, Township 1 South, Range 28 East, Duval County. North Shore Corporation, the abutting upland owner, had granted spoil easements to the United States and the Jacksonville Port Authority.

The bulkhead line in connection with this area was approved by the Trustees on December 17, 1968. Although spoiling in the area would be detrimental to the biological environment, in view of the fact that there are no feasible alternate spoil locations available and in view of the public nature of the project, Staff recommended that the application for temporary easement and permanent easement be advertised for objections only, the temporary easement if subsequently approved by the Trustees to expire on April 17, 1973.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and Mr. Adams, and adopted unanimously, that the easement areas be advertised for objections only.

DUVAL COUNTY - Easement, Section 253.03 Florida Statutes.

The Jacksonville Electric Authority requested permission to construct an electric power line across the Duval County Headquarters of the Florida Board of Forestry near Dinsmore in Duval County. The power

line would be placed along an existing road to serve an adjoining telephone facility.

The Board of Forestry reviewed the request and recommended granting of the easement.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize issuance of the requested easement.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved Report No. 945 listing two regular bids for sale of land in Holmes and Okaloosa Counties under the provisions of Chapter 18296, Acts of 1937 - the Murphy Act.

Mr. Hodges explained that the Staff established the base bids, and in Holmes County the price for the land was above the base bid and in Okaloosa County was the same as the base bid.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

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Tallahassee, Florida
January 14, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges	Director

At the suggestion of Mr. Christian, the Cabinet decided to place the Board of Conservation and the Trustees of the Internal Improvement Fund last on the schedule of agencies whose agenda will be considered on future meeting dates, because of the lengthy matters often coming up on those particular agenda.

On motion adopted without objection, the Trustees approved the minutes of the meeting of January 7, 1969.

DUVAL COUNTY - Easement, File No. 2134-16-253.03 On December 3, 1968, the Trustees authorized advertised for objections only an application made by Mr. F. Bradley Kennelly on behalf of the Jacksonville Port Authority for dedication of sovereignty land in Sections 22, 23 and 26, Township 1 South, Range 28 East, Duval County, within the Hannah Mills-Sisters Creek complex. A tract containing 59.40 acres, more or less, was to be a permanent spoil area easement, and a tract containing 34.30 acres, more or less, was to be a temporary spoil area easement. Notice of dedication was published in the Florida Times Union, proof of publication filed.

Mr. William T. Mayo, attorney representing Mr. Stuart W. Edwards, notified the Trustees' office that Mr. Edwards owns portions of Islands 13 and 14 in Section 26, Township 1 South, Range 28 East, north of State Road 105. Attorneys for the Port Authority were notified of the adverse claim and submitted evidence for the purpose of disproving Mr. Edwards' claim.

In connection with controlling silting and filling of major creeks within the spoil areas, attorney for the Port Authority advised the Trustees' office that it was the intent of the U. S. Army Corps of Engineers to cause to be constructed and maintained dikes wherever practicable and economically feasible to prevent any spoil from being placed in any creeks or tributaries, and a tentative diking plan was submitted.

Staff recommended issuance of easements conditioned upon inclusion of an appropriate covenant in the instruments requiring diking to prevent siltation and filling of affected creeks and tributaries, and that issuance of easements be further conditioned on the clearing of adverse claims. Mr. Kennelly, present on this date, agreed to the conditions recommended by the staff.

On motion by Mr. Williams, seconded and duly adopted, the Trustees authorized issuance of the permanent and temporary easement dedications with the conditions recommended by the staff, shown above.

MANATEE COUNTY - The State Road Department requested waiver of the reverter clauses in Easement No. 20842 executed on January 20, 1955, for State Road 684, Cortez Bridge, and Easement No. 21091 executed December 6, 1955, for State Road 64, Anna Maria Bridge, the waiver to be restricted to that portion of the road rights of way lying within the West Coast Inland Navigation District rights of way Cut "M-7" and Cut "M-9" granted by virtue of Canal Right of Way Easement No. 22834 executed July 11, 1961.

Staff recommended that the Trustees waive the reverter provisions in the above cited easements to the State Road Department only as to that portion of the right of way lying within the West Coast Inland Navigation District canal right of way.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the staff recommendation be approved as the action of the Board.

BREVARD COUNTY - The State Road Department requested temporary

dredging easement in the Indian and Banana Rivers in connection with construction of causeways needed for State Road 404, Section 70004-2503, the Pineda Expressway.

The report dated November 21, 1968, from the Florida Board of Conservation stated that the areas selected by the State Road Department were well chosen to lessen damage to marine resources from dredging. Staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize issuance of temporary dredging easement to expire on October 1, 1972, as requested by the State Road Department.

BREVARD COUNTY - Dedication. The State Road Department requested dedication for right of way over sovereignty lands of the Indian River and Banana River in projected Sections 19, 20 and 22, Township 26 South, Range 37 East, Brevard County, for State Road 404, Section 70004-2503, Pineda Causeway. The request was the first phase of a two-phase application that will enable construction to begin on the bridge span. Second phase application for rights of way will be submitted at such time that an order for taking is filed for uplands abutting the proposed rights of way.

Bulkhead lines in connection with the project were approved by the Trustees on January 7, 1969. The biological report indicated that damage to marine biological environment would occur.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize dedication of the sovereignty lands requested by the State Road Department for rights of way for the public road.

BREVARD AND ORANGE COUNTIES - Dredge Permit, Section 253.03

Mr. William R. Bailey, City Manager, on behalf of the City of Cocoa, Florida, applied for a permit for the installation of a subaqueous 48-inch water transmission main crossing the St. Johns River south of State Road 520 in Section 25, Township 24 South, Range 34 East, in Brevard and Orange Counties. Staff requested waiver of Game and Fresh Water Fish report and recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, that dredge permit be issued to the City of Cocoa for installing the water main.

SUMTER COUNTY - Dock Permit, Section 253.03 Florida Statutes

Mr. James Veal applied for permission to construct 18 boat sheds in Lake Panasoffkee in Section 30, Township 19 South, Range 22 East, Sumter County, for which he had submitted all required exhibits, including $100.00 processing fee.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that issuance of dock permit be approved.

LAKE COUNTY - Dredge Permit, Section 253.03 Florida Statutes

Mr. A. M. Collins, Jr., President of Astor Forest Campsites, Inc.,

of Ocala, Florida, applied for after-the-fact permit for the connection of canals constructed on the upland with the St. Johns River in Section 19, Township 15 South, Range 28 East, Lake County. The connections were completed by the predecessor in title some years ago. The Florida Game and Fresh Water Fish Commission advised that a field investigation would not be required for that reason.

On motion by Mr. Dickinson, seconded and duly adopted, the Trustees authorized issuance of the dredge permit.

SHELL LEASE REPORT - The Trustees accepted for the record the following report of remittances received by Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 4,437.70
1788	Benton and Company	10,380.16
2233	Bay Dredging & Construction Co.	5,531.54

GLADES COUNTY - Lease. Lykes Bros., Inc., the holder of Grazing Leases 2130 and 2160 expiring on January 20, 1969, covering 198.87 acres in Lots 1, 2, 3 and 4 of Section 34, Township 40 South, Range 32 East, Glades County, requested renewal of the grasing leases for one year.

The leases are for grazing purposes only, allow cancellation by the Trustees after 90-day written notice, and have an annual rental of $3.00 per acre. An appraisal in August of 1965 resulted in increasing the previous rental of $1.00 per acre to the current $3.00 per acre rate.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized renewal on the same terms and conditions, and combination of both leases into one to eliminate unnecessary accounting and correspondence.

TRUSTEES' PERSONNEL - On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees adopted the following resolution commending Mr. A. Rees Williams, retiring from the position of Chief of Engineering in the office of the Trustees, Elliot Building.

RESOLUTION

WHEREAS, A. Rees Williams was employed as assistant engineer to Mr. F. C. Elliot, Engineer and Secretary, Trustees of the Internal Improvement Fund, on January 1, 1951, after earlier public service with the Division of Water Survey and Research, State Board of Conservation, beginning in June 1947, and

WHEREAS, A. Rees Williams was appointed by the Trustees on October 10, 1959, as Chief Cadastral Surveyor to act for them in approving all surveys of lands into townships, sections or other regular land divisions, together with the field notes, plats, or other accessories pertaining thereto, and

WHEREAS, A. Rees Williams was assigned the duties of Swamp Land Selection Officer by the Trustees on November 3, 1959, for the purpose of investigating, filing reports and preparing swamp land selection applications under the provisions of Sections 2222.5-1 and 2222.5-2, Title 43, Code of Federal Regulations, and

WHEREAS, A. Rees Williams was appointed Chief, Engineering Section, Trustees of the Internal Improvement Fund on March 1, 1964, a position in which he served in an outstanding manner until his retirement on December 31, 1968, and

WHEREAS, A. Rees Williams during his employment with the Trustees did plan and establish an excellent system for maintaining official record files covering sales, dedications, easements, and permits involving state owned submerged lands, and

WHEREAS, A. Rees Williams has demonstrated throughout his service with the Trustees a high degree of professional proficiency, training, experience and knowledge, which collectively have enabled him to provide outstanding leadership and accomplishments within the Engineering Section as well as excellent guidance and assistance to the entire staff;

NOW, THEREFORE, BE IT RESOLVED that the Trustees of the Internal Improvement Fund of the State of Florida do hereby express to Mr. A. Rees Williams their sincere appreciation for the outstanding contributions he has made to the people of Florida by assisting in the development of policies and procedures relating to effective utilization of state owned lands and water areas, and

BE IT FURTHER RESOLVED that the Trustees extend to him their sincere appreciation for the high professional standards he has set in the discharge of his official duties relating to matters pertaining to the Trustees and extend to him their best wishes for success in his endeavors in the years ahead.

IN WITNESS WHEREOF, we place our hands and seals this January 14, 1969.

CLAUDE R. KIRK, JR.
Governor
TOM ADAMS
Secretary of State
EARL FAIRCLOTH
Attorney General
FRED O. DICKINSON, JR.
Comptroller
BROWARD WILLIAMS
Treasurer
FLOYD T. CHRISTIAN
Commissioner of Education
DOYLE CONNER
Commissioner of Agriculture

TRUSTEES' PERSONNEL - Director Randolph Hodges recommended that the Trustees consider the appointment of Mr. Fred Vidzes, Assistant Chief, Engineering Section, to the position of Acting Chief of Engineering effective January 1, 1969, and concurrent with that position and as a part of the duties required by said position, the additional appointment as Acting Chief Cadastral Surveyor and Acting State Swamp Land Selection Agent also be designated to Mr. Vidzes.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees did appoint Mr. Vidzes as Acting Chief of Engineering effective January 1, 1969, and concurrently, as Acting Chief Cadastral Surveyor and Acting Swamp Land Selection Agent. Comment was made that this carries no additional salary.

DADE COUNTY - Without objection, the rules were waived to allow consideration of an addendum to the regular agenda.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the Attorney General to intervene in that cause styled National Industries, Inc., vs Enterprise Properties, Ltd., et al, Civil Action Case #67-4988, for the purpose of protecting the interest of the Trustees in lands in the Oleta River in Section 9, Township 52 South, Range 42 East, Dade County, subject to litigation.

MONROE COUNTY - File No. 2141-44-253.12. On motion by Mr. Faircloth, seconded by Mr. Christian, and adopted without objection, the rules were waived to allow consideration of an addendum.

Authority was requested for the Attorney General to take such action as might be necessary to protect the interests of the State of Florida relative to pending litigation (State of Florida, ex rel Faircloth v Summerland Key Cove, Inc., Civil Action 68-1036) pursuant to Circuit Court Order of January 10, 1969, allowing the Trustees of the Internal Improvement Fund ten (10) days within which to elect to become parties plaintiff in said action, or, failing such election, to be joined as parties defendant.

Mr. Faircloth explained that to be parties plaintiff would mean that the Trustees seek the declaration of the Court as to application of the law, and he recommended such action.

Secretary of State Tom Adams commented on the legal action taken by the Attorney General in which he enjoined the Secretary of State and Mr. Toppino as defendants in resolving the Summerland Key matter. He criticized the legal action as appearing to ask the Judiciary to make an executive decision, and said the matter most appropriately should be referred to a committee of the Trustees to look into the records and recommend an equitable decision. (Issuance of the deed to Summerland Key Cove, Inc., was being withheld pending resolution of questions relative to value of the land.)

Mr. Faircloth said the law permitted him to bring the suit on behalf of the State to clarify the legal question, that the Secretary of State was dismissed as a party defendant on the ground that he had no further information to present to the Court. He would not ask for dismissal of the suit, and since the Court has taken jurisdication the time for committee assignment was at an end, Mr. Faircloth said.

Mr. Adams said the record spoke for itself without additional information. He would like to have independent counsel to represent the Secretary of State and would not ask for any additional release of funds to represent him in this matter.

Mr. Dickinson said that a cabinet committee had merit as a reasonable approach which the cabinet often used, but would not carry legal efficacy.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, that the Trustees take action as recommended by the Attorney General, to elect to become parties plaintiff in the pending litigation, and that the Secretary of State provide his own counsel as he had requested.

The Trustees deferred action on consideration of a portion of the recommendations which Mr. Hodges proposed to make as Director, for the reason that the members desired more time to study the recommended changes.

As to one of the recommendations, it was noted that the Board had already authorized the former Director to work on collection of payment on outstanding loans held by the Trustees.

SUBJECTS UNDER CHAPTER 18296

SEMINOLE COUNTY - Murphy Act Land. The City Council of Oviedo, Florida, offered $300.00 for a parcel of land containing 1.1 acre, more or less, under provisions of Chapter 21684, Acts of 1943. The parcel, adjacent to land on which the City Water Facilities Plant is located, was certified to the State under tax sale certificate No. 1276 of August 7, 1933, and No. 527 of 1936, described as the S½ of SE¼ of NW¼ of SW¼ (less 2 acres square in SE corner) and (less all that part thereof except the South 134.4 ft.) in Section 15, Township 21 South, Range 31 East, Seminole County.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees authorized conveyance of the said parcel to the City of Oviedo without advertisement and public sale for the price offered.

On motion duly adopted, the meeting was adjourned.

Secretary of State -
Acting Chairman

ATTEST: Director

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Tallahassee, Florida
January 21, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on January 14, 1969.

OKALOOSA COUNTY - Dedication. The State Road Department requested dedication of submerged lands for a bridge site in East Pass adjacent to the Moreno Point Military Reservation in projected Township 2 South, Range 23 West, Okaloosa County, for State Road 30, Section 57030-2528. A portion of the right of way might encroach upon lands under lease to W. F. Davis, M. P. Cox and R. E. Cadenhead in Trustees' Lease No. 2224. The State Road Department had been requested to review the matter to determine if encroachment does in fact occur.

The biological report was not adverse due to the fact that no dredging or filling would be done.

Motion was made by Mr. Conner, seconded by Mr. Adams and adopted unanimously, that the requested dedication be approved contingent upon the State Road Department saving the Trustees harmless from any action that might be taken by the lessees named in Lease No. 2224.

WALTON COUNTY - Easement. Section 253.03, Florida Statutes. The State Road Department requested issuance of a temporary easement covering a 2.98 acre parcel of land adjacent to a proposed road crossing a corner of the Grayton Beach State Park in Section 16, Township 3 South, Range 19 West, Walton County, for use as a borrow pit.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that borrow pit easement be issued to the State Road Department, to cease to be effective six months after completion of the road construction.

BROWARD COUNTY - Dredge Permit, Section 253.123, Florida Statutes. Mr. John F. Michel on behalf of Galahad Apartments applied for permission to remove 50,000 cubic yards of sand from an area 733 feet by 500 feet located 1,700 feet in the Atlantic Ocean offshore from Lot 5, Block 1, Amended Plat of Seminole Beach, Plat Book 1, Page 15, Public Records of Broward County. The material would be

used for beach nourishment adjacent to the applicant's upland property. Applicant executed a quitclaim deed to the Trustees, quitclaiming all right, title or interest in and to the area that would be restored under the beach nourishment project.

The Florida Board of Conservation, Division of Beaches and Shores, recommended approval.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and approved unanimously, that the dredge permit be approved.

HIGHLANDS COUNTY - Dredge Permit. Section 253.03 Florida Statutes. Application was presented from Withers and Harshman, Inc., of Sebring, Florida, for a dredge permit. On July 29, 1968, Mr. Harshman applied for after-the-fact permit for a canal dug through marsh to his upland on Dinner Lake in Section 17, Township 34 South, Range 29 East, Highlands County. On July 31, 1968, the staff advised him that the charge for after-the-fact permits was ten cents (10¢) per cubic yard. Applicant removed 2,500 cubic yards of material and tendered his check for $250.00 in payment.

The Florida Game and Fresh Water Fish Commission reported that the applicant had placed material on state-owned bottoms and recommended removal of the material and restoration of the bottoms.

Since action on the application was delayed awaiting on-site inspection, it was recommended on the agenda of October 15, 1968, that application be approved at the rate in effect at the time of the application. The Trustees deferred action for further study.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the application for after-the-fact dredge permit be approved at the rate in effect at the time of the application, ten cents per cubic yard.

LAKE COUNTY - Dredge Permit. Section 253.03 Florida Statutes. Charles M. Pool, Inland Groves Corporation, Clermont, Florida, on August 28, 1968, applied for permission to remove 2,000 cubic yards of material from Lake Minnehaha in Government Lot 6, Township 26 South, Range 24 East, Lake County, to use for improvement of his upland property. The applicant tendered his check for $100.00 as payment for the material at the rate in effect at the time of the application, prior to yardage rate change.

The Florida Game and Fresh Water Fish Commission reported favorably, subject to stipulations as to dredging which should be included in the permit.

The application was on the agenda of October 30, 1968, and upon vote of three to three, was not approved. Several members indicated that unless it was an emergency it should be held up because of the moratorium.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve issuance of the permit subject to inclusion of certain stipulations as to dredging, at the rate in effect at the time of the application, five cents per cubic yard.

PINELLAS COUNTY - Dredge Permit, Section 253.123, Florida Statutes. The Pinellas County Water and Navigation Control Authority on February 1, 1968, considered after-the-fact permit to Mr. A. D. Tagarelli of Tarpon Springs, Florida, for work done in Kreamer Bayou at Sunset Hills, Tarpon Springs. The permit application was referred to Pinellas County legal department for the proper and adequate disciplinary action that the law afforded, and on January 9, 1969, the Board of County Commissioners forwarded to the Trustees its check for $28.90 as payment for 578 cubic yards of material which had been removed by Mr. Tagarelli.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of a dredge permit to Mr. Tagarelli for the amount received.

MONROE COUNTY - Corrective Deed, File No. 241-44-253.12. Attorney Kenneth H. Smith of behalf of Mr. Roy M. Nichols and wife requested corrective deed to replace Deed No. 21949 (241-44) issued by the Trustees on October 30, 1958, which contained an error in the range number in the land description.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that corrective deed be issued for $25.00 processing fee.

TRUSTEES' FUNDS - Authority was requested to transfer the amount of $48,126.00 from available funds of the Trustees to the Florida Board of Conservation to help defray expenses of its Survey and Management program required by Chapter 253, Florida Statutes.

Funds in the amount of $24,296.00 to establish Survey and Management operation for 1967-68 were borrowed from the Marine Biological Research Trust Fund. The 1968-69 Operating Budget for Survey and Management included estimated receipts of $25,000.00 and disbursements of $48,830.00, leaving a deficit of $23,830.00.

The Board of Conservation Operating Budget for 1968-69, based on receiving $48,126.00 from the Internal Improvement Fund to repay the Marine Biological Research Trust Fund in the amount of $24,296.00, and to cover 1968-69 estimated operations of Survey and Management in the amount of $23,830.00, has been approved by the Budget Commission.

Director Randolph Hodges said there had been correspondence with the former Director relative to the transfer of funds to defray Survey and Management expenses.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees authorize transfer from Internal Improvement funds of the amount of $48,126.00 for use to help defray costs of the Board of Conservation program required under Chapter 253, Florida Statutes.

COASTAL PETROLEUM COMPANY - Secretary of State Tom Adams said that before the Attorney General left the meeting of the Cabinet because of illness, he had advised that he was preparing a report for the members on the Governor's letter and report made by a special committee named by the Governor on the validity of Oil Drilling Leases 224-A, 224-A as Modified, 224-B, 224-B as Modified, 248,

and 248 as Modified.

Mr. Christian said it involved the Coastal contracts, asked how much money had come to the State of Florida, and suggested that the matter be referred to the Attorney General.

Without objection, the consensus of the Trustees was that the Attorney General should pursue the matter.

DREDGING OF NAVIGATION CHANNELS - Mr. Adams mentioned the accumulation of applications in the Trustees' office during the moratorium and many still pending. Regardless of where the bulkhead line might be relocated or approved, he said there was no desire to prevent access of upland owners to navigable water, and he would like to see those applications for navigation channels brought forward and considered on their merits.

Mr. Hodges called attention to the fact that some applications for navigation channels were a subterfuge for dredging and filling. Mr. Christian said the Board would leave that to the judgment of the Director, and Mr. Adams added that where it was a bona fide request for a navigation and access channel it should be considered. The Director was instructed to screen such applications carefully.

It was so ordered.

The Director called attention to the Advance Agenda showing a bulkhead line to be placed on the regular agenda for consideration on February 4, 1969. This was a procedure adopted by the Trustees on October 15, 1968, that the Board, and the public, be given two weeks advance notice of any proposed change or establishment of bulkhead lines and any proposed sales.

The Secretary of State expressed appreciation to the staff for furnishing Advance Agenda.

Also, the Director mentioned some recommendations which had been postponed on January 14, 1969, which would be placed on the agenda next week for consideration.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

1-21-69

Tallahassee, Florida
January 28, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on January 21, 1969.

The Director presented for consideration some recommendations which would materially assist in tightening up administration of operations under the jurisdiction of the Trustees, give the state more control over dredging and filling, recover payment from over-fills or dredging deeper than the permit allowed. He estimated that he could recover $100,000 from excessive dredging that has not been discovered heretofore. During the discussion as to whether the fees were in line, Mr. Hodges said they were set in 1957, and processing costs have increased.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the staff proceed on amendment of Rules and Regulations of the Trustees of the Internal Improvement Fund, subject to legal approval of the Attorney General, as follows:

(1) Discontinue contract to purchase sales of state-owned lands and require that all sales of state-owned lands be consummated by full payment for deed within 90 days after confirmation of sale.

(2) Issue after-the-fact permits for the material taken upon payment at the minimum rate of 20¢ per cubic yard up to the maximum rate of three times the rate per cubic yard prevailing in the subject locality at the time of discovery, as such rate may be determined by the Trustees' staff upon consulatation with sources in the locality, with a minimum total charge of $100, whichever is the greater.

(3) Increase minimum handling charges for release of canal and drainage reservations from $10 to $15 for each quitclaim deed issued.

(4) Increase minimum processing fee for release of oil and mineral reservations from $10 to $15 for each quitclaim deed issued.

(5) Increase minimum processing fee for release of state road right of way reservation from $10 to $15 for each quitclaim deed issued.

(6) Increase minimum handling charge for processing and issuing a disclaimer from $10 to $100.

(7) Provide for a minimum handling charge of $25 for the processing of each corrective or duplicate deed.

The above rule amendments will become operative pursuant to the provisions of Section 120.041(5) Florida Statutes.

Also, the Trustees, on motion made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, authorized the staff to invoke emergency provisions of Chapter 120, Florida Statutes, for the purpose of making certain administrative rule changes pertaining to dredging and filling, subject to legal approval by the Attorney General, as follows:

> At the Trustees' option applicant may be required to furnish a cross-section profile map with certificate executed by a Florida Registered Professional Engineer or Land Surveyor, stating quantity of fill material excavated pursuant to permit, such certification to be furnished within 90 days after completion of project or expiration of permit, whichever is earlier.

Also on motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees

> Authorized experditure from Internal Improvement Funds of a sum not to exceed $3,000.00 for professional engineering service to determine by cross sectional method the quantity of fill material excavated pursuant to selected permits issued under statutory provisions during the past several years; and
>
> Authorized the Director to take the necessary steps to collect payment on loans held by the Trustees where payments on such loans are in arrears.

DADE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. On September 5, 1967, the Trustees approved relocation of an existing bulkhead line around Mashta Island in Biscayne Bay in Section 6, Township 55 South, Range 42 East, Dade County as adopted by the Board of County Commissioners on February 21, 1967, in Resolution No. R-182-67. However, Mr. John J. McCue, Director of Metro Dade Public Works Department, has advised that the resolution was prepared from information that created an encroachment on an existing seawall and did not conform to the intent of the County Commission's action.

The Board of County Commissioners of Dade County by Resolution No. R-1127-68 adopted October 1, 1968, relocated and established the bulkhead line around Mashta Island in Biscayne Bay in Section 6, Township 55 South, Range 42 East, to conform to the intent of their action. All required exhibits were furnished and the record showed there was one objector at the local hearing.

The bulkhead line complied with the philosophy adopted by the Trustees on December 31, 1968, and on motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the relocation of this bulkhead line.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Lee County by Resolution adopted on November 13, 1968, established a bulkhead line along the mean high water line in a bayou in Gasparilla Island in Section 23, Township 43 South, Range 20 East, Lee County. All required exhibits were furnished, the records showed no objections at the local hearing, and the Board of Conservation reported no significant adverse effects on the marine life of the area.

The bulkhead line complied with the philosophy adopted by the Trustees on December 31, 1968; and on motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Lee County by Resolution adopted November 13, 1968, established another bulkhead line along the mean high water line in a bayou in Gasparilla Island in Section 23, Township 43 South, Range 20 East, Lee County, being a short distance from the bulkhead line in the above paragraph. All required exhibits were furnished, the records showed no objections at the local hearing, and the Board of Conservation reported no adverse effects and that a proposed application within the bulkhead line did not portend dredging and filling.

The bulkhead line complied with the philosophy adopted by the Trustees on December 31, 1968; and on motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line.

SARASOTA COUNTY - File No. 2019-58-253.12 - Land Sale. On December 10, 1968, the Trustees reconsidered application of Per A. O. Scheutz, et ux, represented by Senator Joseph A. McClain, Jr., and ordered readvertisement of the .93 acre parcel of partially filled Sarasota Bay bottom land abutting a portion of Block 3, Sunset Park Subdivision, Plat Book 1, Page 308, in Section 24, Township 36 South, Range 17 East, in the City of Sarasota, Florida. Second notice of sale was published in the Sarasota Herald-Tribune, proof of publication filed in the Trustees' office.

Several letters of objection were received, one from the City of Sarasota Attorney, John M. Scheb, which was later withdrawn.

The parcel is encumbered by a 30-foot wide drainage easement granted to the State Road Department, and the Trustees will include in the instrument of conveyance a limited use and reverter provision that will prevent the construction of any building upon the parcel. The staff recommended that objections be overruled and sale of the 0.93 acre parcel confirmed at the appraised value of $28,500.00 per acre, subject to the said provision in the deed.

Mr. Adams commented that the delay had resulted in an increased price for the land, and the Governor agreed that was good.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that sale of the 0.93 acre parcel at the rate of $28,500.00 per acre be confirmed and the instrument of conveyance contain the limited use and reverter clause.

HIGHLANDS COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Mr. Darwin Ketzenberger applied for permission to remove 370 cubic yards of material from Lake Grassy. The material had been used to improve his upland and $100.00 was tendered as penalty payment for the permit.

Florida Game and Fresh Water Fish Commission reported the work and recommended that the material be left on the upland since additional damage would be caused by replacing the fill material in the lake. Staff recommended issuance of the permit. The rule changed on this date did not apply yet.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the permit.

INDIAN RIVER COUNTY - Dredge Permit, Section 253.123, File 143. The Moorings Development Company applied for permit to construct an access channel 125 feet by 10 feet from the Intracoastal Waterway in the Indian River to applicant's upland, and to construct a perimeter channel 100 feet by 10 feet adjacent to applicant's upland in Sections 21 and 28, Township 33 South,Range 40 East, Indian River County. The application was received August 22, 1968, prior to yardage rate increase. The proposed channels exceed the maximum permit size and applicant tendered his check for $18,150.00 as payment for the 363,000 cubic yards of material from the overcut.

Upon receipt of copy of the Florida Board of Conservation report on the biological survey, a turning basin was eliminated from the plan and the width of the perimeter channel was reduced.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that dredge permit be approved provided the main access channel width is reduced to 100 feet as recommended by the staff.

LEE COUNTY - Dredge Permit, Section 253.123, File No. 142. Mr. Thomas C. Coleman applied for a permit authorizing the dredging of 5-ft. by 50-ft. channel in the Caloosahatchee River adjacent to his upland in Section 3, Township 45 South, Range 24 East, Lee County. The Board of Conservation biological study reported that just offshore and for a distance of about 200 feet, the submerged bottoms were moderately vegetated, and water further offshore was deeper and unvegetated. The report stated that although grassy areas such as those were important to marine life and fisheries, ingress and egress by boat were difficult, and that if the canal was approved care should be taken to avoid damage to adjacent grassy areas.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the dredge permit.

Answering members' questions, Mr. Hodges said this was for access, and he did not think the 5-foot channel would cause pollution.

MANATEE COUNTY - Dredge Permit, Section 253.123, File No. 163. Application was received from St. Bernard Catholic Church, Anna Maria Key, Holmes Beach, Florida, for permission to construct a 5-ft. by 40-ft. navigation channel from applicant's upland in Section 28, Township 34 South, Range 16 East, Manatee County, to the existing

channel in Sarasota Pass. The material removed would be deposited on upland property.

The proposed channel had been realigned in accordance with suggestion of the Florida Board of Conservation to minimize damaging effects to marine life.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the dredge permit.

MARTIN COUNTY - Dock Permit, Section 253.03, Florida Statutes. Mr. Ezra A. Wood of Palm City, Florida, applied for a permit authorizing the installation of a marine railway in the South Fork of the St. Lucie River south of State Road 714 in Martin County. All required exhibits, including $100.00 processing fee, were submitted.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved issuance of state commercial dock permit.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 16. Mr. Frank A. Martin made application to dredge to minus-25 feet in a 600-foot segment of the navigation channel approved under File No. 16 on April 2, 1968. Application was received on June 26, 1968, and check in the amount of $1,111.10 was tendered as payment for the 22,222 cubic yards of material.

Florida Board of Conservation report stated that the additional excavation would not be more detrimental to marine life than the original excavation.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dredge permit.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes. Mr. Ben Marler, Sr., of Destin, Florida, applied for permit to widen by 10 feet an existing dock in Township 2 South, Range 23 West, Okaloosa County, for which all required exhibits and $100.00 processing fee were submitted.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. General Telephone Company of Florida, St. Petersburg, Florida, applied for permit to install a submarine cable across the Anclote River west of State Road 595 in Section 12, Township 27 South, Range 15 East, Pinellas County. Staff requested waiver of biological study as provided in Section 253.123(3)(a) Florida Statutes, for this project which will serve the public need.

On motion made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved the dredge permit.

WAKULLA COUNTY - Dredge Permit, Section 253.123, File No. 150. Mobile Home Brokers, Inc., Tallahassee, Florida, applied for permit

to construct a navigation channel 50 feet wide by 5½ feet deep in Walkers Creek adjacent to applicant's upland in the Forbes Purchase in Township 5 South, Range 1 East, Wakulla County, to provide boating access for a proposed subdivision. The material would be placed on applicant's upland property.

Florida Board of Conservation biologist reported that the area to be dredged was a shallow cove supporting only sparse seagrass growth, no commercial oyster or clam bars, and no sport or commercial fisheries except for three or four crab traps in the middle of the small cove where no dredging was planned, and that dredging the channel and placing the spoil on upland would not have significant adverse effects on marine resources.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, that the dredge permit be approved.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Power and Light Company, Miami, Florida, applied for permit for construction of a barge access channel from the Intracoastal Waterway in the Indian River in Sections 8 and 17, Township 36 South, Range 41 East, St. Lucie County to applicant's upland. The dredged material would be used to raise the plant site to grade required by the Atomic Energy Commission for safety from hurricanes. Applicant tendered check for $145,000.00 as payment for 1,450,000 cubic yards of material from the overcut.

Florida Board of Conservation biologist reported that dredging in Big Mud Creek should not have significant adverse effect on marine life, but that the proposed access channel from the mouth of Big Mud Creek to Intracoastal Waterway crossed extensive grass flats and would result in extensive destruction of valuable marine habitat.

Florida Air and Water Pollution Control Commission offered no objection provided the turbidity of the water in project area does not exceed 50 Jackson Units above normal background level. The offer of "no objection" extends to channel construction only, and does not relieve the permittee from complying with rules and regulations relating to other projects.

Mr. Hodges pointed out that in the overall project there would be biological damage to possibly 30 acres. Mr. Adams said caution should be taken that approval of this permit did not create commitments, that he was for the project, but the Trustees should make certain that other criteria would be resolved. Mr. Hodges discussed conferences already held on other phases, such as intake and discharge of water. In answer to Governor Kirk's question, Mr. Hodges said he would recommend approval. Mr. Christian suggested that certain stipulations be included.

Mr. A. M. Chick Davis, representing Florida Power and Light Company, spoke of the engineering investigations and plans, the contract for coastal engineering studies, the four biologists retained by his company for a year, and said that later the company would submit data and plans to the Board for approval of intake and discharge of water, et cetera.

Mr. Adams said that now the Trustees were committing themselves to nothing but the access channel, and Mr. Christian said the motion should make that clear. Mr. Davis agreed.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted

unanimously, the Trustees approved the dredge permit for the barge access channel, and made no commitment for other things involved in the overall project, such as intake and discharge of waters, which subsequently would come to the Board for consideration.

BREVARD COUNTY - Dock Permit (Ski Ramp), Section 253.03 Florida Statutes. The Titusville Ski Club, Inc., applied for permission to install ski jump and slalom courses including jump ramps which will be permanently anchored with night identification complying with requirements of the Army Corps of Engineers and the Coast Guard, in the Indian River north and south of the Titusville Causeway, east of the Intracoastal Waterway. One course will be located 300 feet south of the causeway, one approximately 1,500 feet south of the causeway, one 1,650 feet north of the causeway, one 2,600 feet north of the causeway, and a temporary course 100 feet north of Parrish Park.

Letters from the adjacent owners offered no objections.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, authorizing issuance of the permit upon payment of $100.00 processing fee.

DADE COUNTY - Dredge and Fill Permits,
Sections 253.124 and 253.123 Florida Statutes.

A. The Board of County Commissioners of Dade County by Resolution No. R-1373-68 adopted on November 19, 1968, issued a construction permit under the provisions of Section 253.124 Florida Statutes, to Donarl of Florida, Inc., to fill lands lying landward of the established bulkhead lines, and to fill two small islands and adjacent land lying inside the established bulkhead line in Sections 2, 3, 10 and 11, Township 52 South, Range 42 East, in Dumfoundling Bay, Dade County.

The Donarl firm, represented by Attorney William J. Roberts, applied for permit to remove 4,950,000 cubic yards of material from the northern portion of Dumfoundling Bay in Sections 2, 3, lo and 11, Township 52 South, Range 42 East.

B. The Board of County Commissioners of Dade County by Resolution No. R-1375-68 adopted November 19, 1968, issued a construction permit under the provisions of Section 253.124 Florida Statutes to Robert Gould to fill submerged land and upland lying landward of the established bulkhead lines in Sections 2 and 3, Township 52 South, Range 42 East, in Dumfoundling Bay, Dade County.

Mr. Gould applied for permit for 425,000 cubic yards of material from the northern portion of Dumfoundling Bay in Sections 2 and 3, Township 52 South, Range 42 East.

With reference to the above two applications, Florida Board of Conservation reported that the borrow area in Dumfoundling Bay would adversely affect nursery and feeding grounds for marine life.

The Director said that the entire picture was that there were now four pending applications of this kind to dredge a large amount of material from Dumfounding Bay, that the projects were important to the economy of Dade County but would in effect be giving away bottoms from fishing purposes to development uses. He discussed a conference with Dade County officials in which they had agreed

to review their bulkhead line in South Biscayne Bay where the Conservation Department recommended the preservation of several areas of red mangrove growth. In the event the Trustees allowed the dredging in Dumfoundling Bay, the Director recommended a departure from what the Board had done before - that a maximum of $100,000.00 of the approximate $700,000.00 expected to be received for the fill material from Dumfoundling Bay, be used in rebuilding habitats in that bay.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that in view of the concessions made on the bulkhead line to come before the Trustees on February 18 and further concessions to use the mean high water line rather than the line of vegetation, the Trustees approved the permits under Sections 253.124 and 253.123 to Donarl of Florida, Inc., and to Robert Gould, and agreed to commitment of up to $100,000.00 of the monies to be received for the fill material for use in rebuilding habitats in Dumfoundling Bay, as recommended by Director Randolph Hodges.

ALACHUA COUNTY - Section 253.03 Florida Statutes.
The State Road Department requested dedication of 0.095 acre parcel, now part of the University of Florida campus in Gainesville, Alachua County, for construction of a right turn lane on University Avenue and a loading zone in front of the Administration Building to improve the flow of traffic on the perimeter of the campus. Dedication of the parcel in Section 6, Township 10 South, Range 20 East, was approved by University officials and the Board of Regents.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved dedication of the parcel to the State Road Department, as requested.

UNION COUNTY - Section 253.03 Florida Statutes.
On November 7, 1967, the Trustees authorized easement to the State Road Department for a borrow pit on the 13.117-acre parcel of land in use by the Division of Corrections. The State Road Department, needing more material, requested enlargement of the existing easement area by an additional 1.84 acres. The Division of Corrections and the Board of Commissioners of State Institutions reviewed and approved the request.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, that the Trustees approve easement to the State Road Department to enlarge the area now available for borrow pit use under Easement No. 2307.

LEE COUNTY - J. N. "Ding" Darling Wildlife Sanctuary.
The United States Fish and Wildlife Service retained the surveying firm of Carl E. Johnson, Inc., to survey the refuge boundaries and interior for the purpose of locating physical evidence as to various ownerships. Upon completion of the survey, the agreed-upon exchange of lands could take place pursuant to action of the Trustees on February 15, 1966. Due to technicalities, the plat of survey does not meet requirements of Chapter 177 Florida Statutes, which prescribes conditions for placing plats in local public records. At recent staff conferences between representatives of the Trustees, U. S. Fish and Wildlife Service, and Carl E. Johnson firm, it was decided that the survey plat should be placed on

record in the Field Note Section of the Trustees' office.

Staff requested authority to place the plat of survey on record pursuant to Section 253.031 Florida Statutes, in the Field Note Section of the Trustees of the Internal Improvement Fund, and to authorize the Acting Chief Cadastral Surveyor to approve the survey.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees gave the staff authority to proceed as requested.

MARTIN COUNTY - Land Exchange. The Florida Board of Parks at its meeting on January 19, 1969, recommended the exchange of 360 acres of land in Jonathan Dickinson State Park for a 857.5 acre tract owned by the estate of Vince Nelson on the Loxahatchee River adjacent to the park. Each tract was appraised by a qualified appraiser, as follows: Park property, $1,306,000.00; Nelson property $1,329,125.00. The Nelson property, containing the headwaters of the Loxahatchee River, was considered to have substantially more long-range importance to the park than the highway frontage proposed to be traded.

It was recommended that the Trustees proceed with the exchange in accordance with the terms and conditions contained in an option agreement dated November 18, 1968, to expire February 11, 1969, between the estate of Vince Nelson and Donald K. Moe.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the exchange be approved as recommended.

PINELLAS COUNTY - Agreement. Attorney Edward A. Turville on behalf of the Board of Public Instruction of Pinellas County presented an agreement between the Board and the present developers of Tierra Verde wherein it was proposed to exchange school site locations within Tierra Verde. Said agreement was entered into on January 8, 1969, to become effective upon Trustees' approval as specified in paragraph 6 of that agreement dated May 21, 1959, as recorded in O. R. 615, p. 270, public records of Pinellas County, between the original developers of Tierra Verde and the Trustees. The May 21, 1959, agreement was a result of negotiations in connection with sovereignty land purchase, and the agreement stipulated that school sites be provided as part of the consideration for sale of sovereignty lands.

Staff recommended approval of the agreement contingent upon approval of the legal points involved by the Attorney General.

Mr. Adams asked several questions and Mr. Christian said the School Board would receive a better site. Mr. Dickinson said it was fulfilling an agreement.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved the agreement between the Board of Public Instruction of Pinellas County and the present developers of Tierra Verde contingent upon the approval of the Attorney General.

PINELLAS COUNTY - Section 253.03 Florida Statutes. On August 29, 1967, a harbor tug of the United States Army damaged a seawall

dolphin at the St. Petersburg Maritime Base in use by the State University System. The Board of Regents agreed to accept a settlement of $800.00 to help pay the cost of replacing the dolphin and recommended approval by the Trustees and execution of a settlement agreement approved by the Attorney General.

Motion was made by Mr. Dickinson, seconded by Mr. Christian, and adopted without objection, that the agreement be approved for execution, and that the $800.00 to be received from the United States be then transferred to the Board of Regents.

OKEECHOBEE COUNTY - Duplicate Deed. On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of a duplicate deed, requested by Conely and Conely, for handling charge of $10.00 to replace original Trustees Deed No. 19928 dated November 15, 1951, which was lost before recording in the public records.

MONROE COUNTY - Duplicate Deed. On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of a duplicate, requested by David Lemelman of Miami, for handling charge of $10.00 to replace original Trustees Deed No. 21421 dated November 27, 1956, which was lost before recording in the public records.

SHELL LEASE REPORT - On motion by Mr. Adams, duly adopted, the Trustees accepted for the record the following report of remittances received by Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$4,706.71
1788	Benton and Company, Inc.	9,792.34
2233	Bay Dredging & Construction Company	6,680.15

INTERAGENCY REPORT NO. 4 - Director Randolph Hodges, chairman of the Interagency Advisory Committee on Submerged Land Management, presented Report No. 4 containing bulkhead line review and recommendations for the remaining coastal counties, Citrus, Collier, Hillsborough, Indian River, Martin, Pasco, St. Lucie and Volusia Counties.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that Report No. 4 be accepted by the Trustees and copies sent to county commissions, municipal officials and other local public bodies having initial authority with respect to bulkhead lines, in like manner as for Reports No. 1 and No. 3 (see minutes of December 31, 1968) which concerned the other twenty-nine coastal counties.

REPORT NUMBER 4
TO THE
TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
BY THE
FLORIDA INTERAGENCY ADVISORY COMMITTEE
ON SUBMERGED LAND MANAGEMENT

BULKHEAD LINE REVIEW AND RECOMMENDATIONS FOR CITRUS, COLLIER, HILLSBOROUGH, INDIAN RIVER, MARTIN, PASCO, ST. LUCIE, AND VOLUSIA COUNTIES

INTRODUCTION: The eight coastal counties covered by this report complete the review of counties subject to the establishment of bulkhead lines under Chapter 253.122, Florida Statutes. Citrus, Collier, and Pasco Counties have complex problems of submerged land management.

CITRUS COUNTY: The maze of islands, oyster bars, spring-fed tidal creeks, extensive seagrass beds in the Gulf, coastal marshes, and estuarine waters combine to make Citrus County one of the outstanding fish, wildlife and outdoor recreational areas in Florida.

Waterfront development so far has involved mainly draglining to convert marshland and hammocks into lots on interior sea-level canals. Finger fills into open waters have not been significant. Surveying errors complicate evaluation of ownership, bulkhead lines, dredging and filling in the Salt River area.

Offshore bulkhead lines in the following areas are recommended for relocation to the line of mean high water: (1) from Cross-State Barge Canal southerly to the Florida Power Company Property; (2) Florida Power Company Property; (3) three small segments on the north shore of the Crystal River; (4) Island Lot 21; and (5) North shore of the mouth of Homosassa River.

COLLIER COUNTY: Many mangrove islands, extensive mangrove zones bordering the mainland, erroneous meander lines, irregular shorelines, poorly defined mean high water lines, large-scale dredge and fill projects and plans, and old and extensive submerged land sales complicate efforts in submerged land management and development in Collier County. Waterfront development is concentrated at and near Naples and on Marco Island. Because of large land ownerships outside the City of Naples, bulkhead lines already established have tended to be comprehensive rather than piecemeal.

Offshore bulkhead lines in the following areas are recommended for relocation to the line of mean high water:

1. East shore of Little Hickory Bay
2. South end of Pineda Beach to Wiggins Pass
3. Cocohatchee Creek west of State Road 865A
4. Southern limits of Naples, east shore of Naples Bay opposite Gordon Pass and from there south including Dollar Bay
5. Keewaydin Island
6. Henderson Creek
7. Marco Island southerly from Marco Island Development Corporation line Number One
8. Southerly end of Collier (Smokehouse) Bay

Conservative bulkhead lines or those around areas already dredged and filled are recommended for confirmation in the following areas:

1-28-69

1. Cocohatchee River east of State Road 865A
2. City of Naples bulkhead line on both sides of Naples Bay to Gordon Pass
3. North end of mangrove island between Keewaydin and Rookery Bay
4. Extreme north end of Marco Island
5. Marco Island Development Corporation bulkhead line Number One
6. Northern portion of Collier (Smokehouse) Bay

HILLSBOROUGH COUNTY: A large part of the submerged land in Hillsborough County comes under the ownership and jurisdiction of the Hillsborough (Tampa) Port Authority. A local act comparable to the Randell Act was passed by the 1967 General Session of the Florida State Legislature to provide for biological, ecological, and hydrographic evaluations of submerged land development plans.

From Black Point southerly to the Manatee County line, bulkhead lines lying as much as one mile or more offshore are recommended for relocation to the line of mean high water. Some variance from this recommendation may be necessary immediately south of Black Point and Port Sutton to facilitate spoil disposal from dredging for private and public navigational channels and harbor improvements.

INDIAN RIVER COUNTY: It is recommended that the overall county bulkhead line, including those sections located at the vegetation line and in cities, be relocated to the line of mean high water.

MARTIN COUNTY: Stuart is a sport fishing center because of the adjacent Indian and St. Lucie Rivers and the nearby Gulf Stream in the Atlantic Ocean.

Offshore bulkhead lines are recommended for relocation to the line of mean high water in the following areas:

1. Hutchinson Island along the eastern side of Indian River
2. Town of Sewalls Point northerly to St. Lucie County line
3. Town of Jupiter Island
4. South of Rocky Point on the westerly side of the Intracoastal Waterway
5. The north side of the St. Lucie River opposite Stuart
6. North side of the St. Lucie Inlet
7. Northwest Fork of the Loxahatchee River
8. Stuart, south side of the St. Lucie River
9. Western side of the northern approach to the U. S. 1 bridge across the St. Lucie River

The bulkhead line in the remainder of Martin County is located at the line of mean high water.

PASCO COUNTY: This relatively lightly populated county just north of the populous Tampa Bay area has the most liberal bulkhead lines in Florida. Thousands of acres of submerged lands are encompassed by bulkhead lines located as far as 13,500 feet offshore. The committee strongly recommends that all the bulkhead lines be relocated to the line of mean high water. Such a shoreward relocation would result in some bulkhead lines being located along extensive fills in the Port Richey area where the mean high water lines would correspond to the fill or seawall lines.

ST. LUCIE COUNTY: Offshore bulkhead lines are recommended for relocation to the line of mean high water for the Fort Pierce Port Terminal pending definite development plans for Nettles Island and vicinity, and for City Island in Fort Pierce. The bulkhead line for the recently developed camp and trailer site on Hutchinson

Island near the Martin County line is recommended for confirmation. In those areas without bulkhead lines, the Committee recommends that the bulkhead lines be located along the line of mean high water to prevent further encroachments of fills into the scenic and productive Indian River.

VOLUSIA COUNTY: Offshore bulkhead lines are recommended for relocation to the line of mean high water in the following areas:

1. Ormond Beach
2. Holly Hill
3. Daytona Beach
4. Eastern Shore of Halifax River from the southern limits of Daytona Beach to Port Orange
5. Port Orange
6. Eastern shore of Halifax River from the southern city limits of Port Orange to Ponce de Leon Inlet
7. Western shore of Halifax River in South Daytona
8. Western shore of the Halifax River from the southern limits of Port Orange through Harbor Oaks (including Rose Bay east of U. S. 1)
9. Edgewater

The Committee recommends that bulkhead lines be set at the line of mean high water in those areas where bulkhead lines have not been established. A conservative bulkhead line south of New Smyrna Beach would help preclude filling of the scenic and productive area of mangrove islands, shellfishing and fishing grounds, and outdoor recreation in or near the proposed Mosquito Lagoon aquatic preserve.

RESOLUTION - Attorney General Faircloth presented for the consideration of both the Board of Conservation and the Trustees of the Internal Improvement Fund a resolution which he said was not only fair but was the right thing to do since Mr. Randolph Hodges, Director of the Board of Conservation, was also fulfilling the duties of Director of the Trustees of the Internal Improvement Fund.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the rules were waived to allow consideration of the matter not on the agenda.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted unanimously, that the following resolution be passed and executed by the members:

RESOLUTION

WHEREAS, the Director of the Trustees of the Internal Improvement Fund resigned last November, effective December 31, 1968; and

WHEREAS, the Board of Conservation requested its Director, Randolph Hodges, to assume the duties of the Director of the Trustees of the Internal Improvement Fund, in addition to his already heavy load as the Administrator of one of the State's largest agencies; and

WHEREAS, such request was made of Mr. Hodges in view of the superlative job he has done in his position as Director of the Board of Conservation, and in further view

of the tremendously important and sensitive responsibilities with the Trustees with no additional compensation;

BE IT, THEREFORE, RESOLVED THAT:

1. The salary of Randolph W. Hodges be increased to the amount of $23,500.00 per annum, effective January 1, 1969, the date Mr. Hodges assumed duties as Director of Trustees.

IN WITNESS WHEREOF, we set our hands and seals this 28th day of January, 1969.

CLAUDE R. KIRK, JR.
Governor
TOM ADAMS
Secretary of State
EARL FAIRCLOTH
Attorney General
FRED O. DICKINSON, JR.
Comptroller
FLOYD T. CHRISTIAN
Commissioner of Education
DOYLE CONNER
Commissioner of Agriculture
BROWARD WILLIAMS
Treasurer

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
February 4, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting held on January 28, 1969.

DADE COUNTY - Bulkhead Line. The City of Miami by Resolution No. 40208 adopted December 18, 1968, established a bulkhead line in Biscayne Bay offshore from Dodge Island in Sections 5 and 6, Township 54 South, Range 42 East, Dade County. All required exhibits were furnished, and the file showed that there were no objections at the local hearing.

The Florida Board of Conservation reported that because of the extensive dredging and filling already done for the development of the City of Miami Waterfront, the Intracoastal Waterway, and Dodge Island, the marine habitat in this part of Biscayne Bay had been drastically altered and adversely affected; and that there should be no significant adverse effect on marine life, habitat or fisheries from the planned westerly enlargement of Dodge Island. Staff recommended approval of the bulkhead line.

On motion made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees approved the bulkhead line established by the City of Miami on December 18, 1968, by Resolution No. 40208.

In answer to Mr. Adams' question, the Director said that water flow and other related aspects had been taken into account in considering the bulkhead line.

POLICY CHANGE - Sale Dates. On April 20, 1954, the Trustees adopted a policy of considering the confirmation of land sales on the second and fourth Tuesdays of each month. To level off the work load and expedite handling of any sales that are to be made, the Staff requested change in the policy so that confirmation of sales might be considered on any Tuesday (meeting date).

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees changed the policy with respect to sale dates as requested.

MONROE COUNTY - File No. 2135-44-253.12. Mr. Paul Dunning filed an application to purchase one acre of submerged land in the Bay of Florida abutting Government Lot 2, Section 19, Township 65 South, Range 34 East, at Grassy Key in Monroe County. However, the biological report furnished in connection with the application stated that the area was highly productive nursery and feeding ground for marine life.

In view of the adverse biological report and the fact that the application did not come within the purview of the "saw-tooth policy", staff recommended denial and refund of $50.00 of the application fee of $75.00 that was tendered.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the application be denied and $50.00 be refunded to the applicant.

PALM BEACH COUNTY - File No. 2168-50-253.129 - Disclaimer. Mr. David M. White of Brockway, Owen and Anderson Engineers, Inc., submitted application on behalf of CKG Joint Venture for a disclaimer of a parcel of formerly submerged land in Lake Worth lying in Government Lot 3, Section 27, Township 43 South, Range 43 East, Palm Beach County. All necessary exhibits and evidence were submitted and staff recommended approval.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that disclaimer be issued for the usual fee.

MAPPING - Staff requested consideration of permission under authority of Section 373.012 Florida Statutes, to negotiate an agreement, subject to Trustees' approval, with U. S. Coast and Geodetic Survey relative to expediting the topographic mapping program in Florida and producing related photographic maps of the shore line.

In answer to the Governor's question, the Director said the State Road Department was in full accord, that this was to expedite photographic and topographic mapping.

On motion made by Mr. Dickinson, seconded by Mr. Williams and Mr. Adams, the Trustees authorized the negotiation to proceed.

OKEECHOBEE COUNTY - Lease Assignment. Motion was made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve assignment of Lease No. 1200 from David G. Swartz, as Trustee, to Taylor Creek Fishing and Hunting Lodge, Inc. Executed instrument of assignment and acceptance of assignment were filed in the Land Office.

POLK COUNTY - Appraisal. Staff requested authority to employ a qualified appraiser for the purpose of appraising the Federally-owned land on which the Avon Park Correctional Institution is located, consisting of 581.6 acres declared surplus by the United States and available for purchase by the State of Florida.

The value placed on the land and buildings by the U. S. appraisal is considered excessive by the Cabinet Sub-Committee on the Division of Corrections. As the U. S. appraisal is not available for examination, the Division of Corrections recommends that the Trustees secure an appraisal to use in making a counter proposal. The Division of Corrections agreed to bear all costs in connection with the appraisal.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and Mr. Williams, and adopted unanimously, that an appraisal be secured.

PALM BEACH COUNTY - The Trustees received a letter from Mr. Donald O. Morgan, Director of the Area Planning Board, Palm Beach County, in which he objected to a statement made in the Trustees' meeting on November 12, 1968, that certain plans had already been approved by the Area Planning Board. The letter from Mr. Morgan stated that any allegation or implication that the Area Planning Board had approved the plan referred to is false, and he further requested

that the position of the Area Planning Board be made clear and reflected in the minutes of the Trustees.

Without objection, the Trustees authorized the minutes of this date to show the above.

DADE COUNTY - Dredge Permit, Sections 253.124 and 253.123. The Commission of the City of Miami by Resolution No. 40209 adopted on December 18, 1968, issued a permit to dredge and fill submerged land in Sections 5 and 6, Township 54 South, Range 42 East, in Biscayne Bay at Dodge Island, New Port of Miami, Dade County.

The applicant, City of Miami, applied for permit to remove 350,000 cubic yards of material from Sections 5 and 6, Township 54 South, Range 42 East, in Biscayne Bay. The Florida Board of Conservation report stated that because of extensive dredging and filling already done for development of the City of Miami Waterfront, the Intracoastal Waterway, and Dodge Island, the marine habitat in this section of Biscayne Bay had been drastically altered and adversely affected, and that there should be no significant adverse effect on marine life, habitat or fisheries.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the permits under Section 253.124 and 253.123 Florida Statutes.

HIGHLANDS COUNTY - Dredge Permit. Section 253.03 Florida Statutes. On November 2, 1968, Mr. and Mrs. Steven Hudeck applied for a permit authorizing removal of 700 cubic yards of material from Lake June-in-Winter in Section 26, Township 36 South, Range 29 East, Highlands County. They tendered check for $70.00 as payment for the material to be used to fill an old boat basin on their upland property.

The Florida Game and Fresh Water Fish Commission reported favorably, subject to stipulations as to dredging which will be included in the permit.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the dredge permit.

LEON COUNTY - Dredge Permit, Section 253.03. Mr. Red Smith, on behalf of Sam Crowder - Red Smith Boat Landing, applied for a permit to clean out an existing boat basin extending from applicant's upland in Section 10, Township 1 North, Range 1 West, into Lake Jackson in Leon County. The material removed would be placed on upland property.

Florida Game and Fresh Water Fish Commission report offered no objection to the project.

On motion by Mr. Christian, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the permit.

POLK COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Mr. Frank R. Prothero applied for after-the-fact permit for removing 60 cubic yards of material from Lake Hartridge in Section

7, Township 28 South, Range 26 East, Polk County, and replacing the material with white sand. Applicant tendered his check for $100.00 as payment for permit.

Florida Game and Fresh Water Fish Commission reported that the work had been completed prior to field investigation. Staff on-site inspection indicated that the disturbed area was rehabilitating itself.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted without objection, that the Trustees authorize issuance of after-the-fact dredge permit for $100.00 fee.

PINELLAS COUNTY - Dock Permits, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued dock permits, subject to Trustees' approval, to the following;

1. Mr. Robert E. Roberts - T-head dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East;

2. Mr. George Nanussi - T-head dock in Clearwater Harbor in Section 8, Township 29 South, Range 15 East;

3. Mr. John Steiner - L-head dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East.

All required exhibits including $100.00 processing fee were submitted to the Trustees' office for each application.

On motion made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the three state commercial dock permits.

VOLUSIA COUNTY - Dock Permit, Section 253.03 Florida Statutes. Sandbar Inc. of Florida, in care of Mrs. Leola V. Davis, applied for permit to construct L-head dock in Halifax River at Port Orange in Section 3, Township 16 South, Range 33 East, Volusia County. All required exhibits including $100 processing fee were submitted.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of state commercial dock permit.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Alan A. Thelen, City Manager of Titusville, Florida, applied for permit for maintenance dredging in the channel connecting the Titusville Yacht Basin in Section 34, Township 21 South, Range 35 East, Brevard County, with the Intracoastal Waterway in the Indian River north of State Road No. 402. The material removed would be placed on adequately-diked city uplands.

The Florida Board of Conservation reported that the area was not extensively vegetated and maintenance dredging would not significantly or adversely affect marine resources.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that dredge permit be issued.

BAY COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. C. E. Peterson, Director of Public Works, on behalf of the City of Panama City applied for permit for channel maintenance dredging adjacent to city marinas and existing navigation channels that are maintained by the city in Sections 6 and 8, Township 4 South, Range 14 West, Bay County, Florida.

Florida Board of Conservation reported that the work in St. Andrews Bay would not be adverse to marine resources.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that dredge permit be issued.

TRUSTEES' FUNDS - Approval was requested for payment of invoice from A. B. Letter Service, Inc., New Orleans, La., for $4,786.54 for reproduction of appendix in the case of Kirk vs Mays, No. 26568. The bill was approved by the Chief Trial Counsel, Office of the Attorney General, who is handling the litigation covering property in St. Johns County. The Director said he thought it best to get the Board's approval for payment.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees approved payment of the bill.

TRUSTEES' FUNDS - Presented for consideration was a matter, approved on this date by the Board of Commissioners of State Institutions, whereby the Trustees assumed obligation of $690,412.31 advanced from the working capital fund to pay for plans and specifications for the center section of the capitol and repairs and renovations.

On motion by Mr. Dickinson, seconded by Mr. Adams and unanimously adopted, the following resolution was approved for execution:

RESOLUTION

WHEREAS, the Board of Commissioners of State Institutions has obligated itself to repay certain monies in the total amount of $690,412.31 advanced from the working capital fund to pay for plans and specifications for the center section of the capitol and repairs and renovations, and

WHEREAS, the Trustees of the Internal Improvement Fund are now desirous of assuming this obligation. NOW, THEREFORE, Be It Resolved by the Trustees of the Internal Improvement Fund:

That the Trustees of the Internal Improvement Fund do hereby agree to and hereby do assume the aforesaid obligation.

That the Trustees of the Internal Improvement Fund do hereby agree to fully pay and satisfy said obligation on or before April 1, 1969.

IN WITNESS WHEREOF, we place our hands and seals this 4th day of February, 1969.

CLAUDE R. KIRK (SEAL)
Governor
TOM ADAMS (SEAL)
Secretary of State

EARL FAIRCLOTH (SEAL)
Attorney General
FRED O. DICKINSON, JR. (SEAL)
Comptroller
BROWARD WILLIAMS (SEAL)
Treasurer
FLOYD T. CHRISTIAN (SEAL)
Commissioner of Education
DOYLE CONNER (SEAL)
Commissioner of Agriculture

QUARTERLY REPORT - Complying with the requirements of Rule 13 of the Rules and Regulations of the Florida Cabinet, the Director submitted his report for the fourth quarter of 1968 on the operations of the Trustees' office.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees received the quarterly report.

AQUATIC PRESERVES HEARINGS - Director Randolph Hodges informed the Board that hearings had been scheduled to begin February 13 in Panama City, Florida, and each Thursday night thereafter through April 10 in other cities, for the purpose of obtaining information relative to the proposal to establish aquatic preserves in locations recommended by the Florida Interagency Advisory Committee on Submerged Land Management in Report No.2.

DREDGING OPERATIONS - The Director reported that intensive study of dredging and filling in coastal counties was being made, beginning in Monroe County where 60 dredging operations were in progress, of which 36 were possible violations. He said that, of course, Monroe County was exempt from certain provisions of the statutes, including the bulkhead act, but all operations without a permit that could be stopped had been stopped and the staff would work with the office of the Attorney General to take legal action against others.

Governor Kirk said the local news media should be given full information in order to inform the public of the situation.

SUBJECTS UNDER CHAPTER 18296

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted unanimously, that the Trustees approve Report No. 946 listing 2 regular bids for sale of land in Baker and Okaloosa Counties under provisions of Chapter 18296, the Murphy Act, and listing County of Broward Deed No. 437-Supplemental-Corrective to Pauline P. Burns issued to supply a more sufficient description of part of the land conveyed in Broward County Deed No. 437 to D. S. Davis and Hazel M. Davis bearing date of July 26, 1940.

On motion duly adopted, the meeting was adjourned.

2-4-69

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
February 18, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol Building in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor (Present Part Time)
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture (Present Part Time)

Randolph Hodges — Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on February 4, 1969.

DADE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Dade County by Resolution No. R-65-69 adopted January 8, 1969, relocated and established bulkhead lines along the westerly shore of Biscayne Bay from Coral Gables south to the Dade-Monroe County line at U. S. Highway No. 1, in the unincorporated area of Dade County. All required exhibits were furnished to the Trustees' office. A transcript of the special public hearing held in Miami on January 8 showed that there were people present in opposition and others in favor of relocation of the existing bulkhead line shoreward.

The Board of Conservation report indicated that if the bulkhead line was not set at the line of mean high water, and dredging and filling limited to areas shoreward of such line, irreparable damage would occur to one of Florida's most productive estuaries.

Staff recommended disapproval of the bulkhead line as submitted by Dade County. The Director said it was not in agreement with the Trustees' philosophy adopted December 31, 1968, did not preserve the three red mangrove areas as had been discussed on January 27 in a conference he had with a representative group of Metro-Dade County officials, and was in his opinion a denial by the county of a commitment on which the Trustees' Director had based his recommendation on two large dredge-fill applications approved by the Trustees on January 28, and two large dredge-fill applications on the agenda on this date. The Staff recommended that this bulkhead line be sent back to the county.

Making presentations in favor of the bulkhead line submitted by Dade County were Commissioners R. Hardy Matheson and Earl M. Starnes, Jerry Annis for South Dade Council Chamber of Commerce, Zeke O. Ferrell who presented a resolution adopted by Homestead Chamber of Commerce, G. Lester Freeman, for Greater Miami Chamber of Commerce, Thomas B. DeWolf representing Seadade Industries, and George L. Patterson for Florida Power and Light Company. Dade County recommended adoption of the bulkhead line which, it was stated, corresponded to the vegetation line, provided for planned navigation channels, was part of their comprehensive planning, allowed conservation and development to work together, and was in the public interest. The county had supported many conservation movements, large areas in Dade County had been set aside for Everglades National Park, Central and Southern Florida Flood Control District, Biscayne National Monument, Pennekamp Park, Homestead Bay Park, and others. After the January 27 conference, Mr. Matheson said, the county could not justify having another public hearing. In summarizing the position of the county, Mr. Starnes read a letter from a marine biologist and ecologist stating it was in the best public interest to move the line landward to the outer edge of mangrove or tree vegetation.

Mr. DeWolf said his client, Seadade Industries, was concerned regarding their ownership in the area and lest the bulkhead line be set to preclude them from the water line, or be set to the interior of the mangrove growth.

Mr. Patterson discussed lands owned by Florida Power and Light Company based on deeds from the Trustees back into the 1920's, and said his client was generally in agreement with the county proposal to place the bulkhead line approximately at the vegetation line.

Mr. J. F. Redford, representing Dade County Izaak Walton League, read from another biologist's report, brought out the protection afforded by mangrove growth in times of hurricanes, the important role of marsh vegetation and bird life, and opposed the bulkhead line as set by the county.

Secretary of State Tom Adams stated the position of the Trustees that while applications for development would damage marine biological resources in Dumfoundling Bay, they knew that development in Dade County had to go forward and therefore the Trustees exercised their discretion by approving applications in the area of lesser conservation value in order to preserve areas of more ecological worth in South Biscayne Bay. He said the Director's recommendations represented what the Trustees were trying to accomplish.

Mr. Matheson urged the Trustees to approve the bulkhead line with the exception of the three red mangrove areas at Black Point, Mangrove Point and Card Point, of which he offered the legal descriptions.

After further discussion, the Director asked the Trustees to refer the bulkhead line back to the county and let them endeavor to carry out what had been worked out in the conference he had with the county group on January 27, 1969.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees adopted the recommendation of the staff.

Governor Kirk having excused himself, the Secretary of State

presided as chairman during the remainder of the meeting.

LEE COUNTY - Oil and Gas Drilling Lease Bid Opening. On December 31,1968, upon request of Mobil Oil Corporation, the Trustees authorized advertisement for sealed bids for a five-year term oil and gas drilling lease covering the reserved one-half interest of the Trustees in the petroleum and petroleum products in 240 surface acres of privately-owned land described as follows: E½ of SW¼; SW¼ of SW¼; W½ of SE¼ and SE¼ of SE¼ of Section 27, Township 46 South, Range 27 East, containing 240 surface acres, more or less, in Lee County, Florida.

Invitation to bid was published in the Tallahassee Democrat and the Port Myers News-Press, pursuant to law, with bids to be opened and read at 10:00 A.M. on February 18, 1969. Right was reserved by the Trustees to reject any and all bids, and the successful bidder was required to pay all advertising costs.

The Director opened the one bid received, from Mobil Oil Corporation, of a cash consideration of ten dollars ($10.00) per net mineral acre; one dollar ($1.00) per net mineral acre annual rental in advance, said rental to increase by five percent after the first two years; one-eighth (1/8) royalty, for a five (5) year term lease prepared on the State Drilling Lease Form. Check was tendered in the amount of $1,320.00, representing a cash consideration of $1,200.00 and advance rental in the amount of $120.00 for the first year of the lease.

The Director advised that the bid complied with the requirements, and on motion duly adopted, the Trustees accepted the bid and authorized issuance of state oil and gas drilling lease to Mobil Oil Corporation.

DUVAL COUNTY - Easements, City of Jacksonville, Consolidated Government. In connection with the Jacksonville Harbor Deepening Project, F. Bradley Kennelly, the attorney for Jacksonville Port Authority, sponsoring agency, submitted applications for:

1. File 2163-16-253.03, Temporary spoil easement (CSA-11 & 12) embracing 33 acres of sovereignty lands in Sections 21 and 22, Township 1 South, Range 28 East, subject easement to expire on April 17, 1973; and

2. File 2164-16-253.03, Permanent spoil easement (MSA-4) embracing 52.5 acres of sovereignty lands in Section 25, Township 1 South, Range 28 East, Duval County.

On January 7 the Trustees authorized advertisement of the easement and notices were published in the Florida Times Union on January 17, 24, 31 and February 7, 1968, with proof of publication filed in the Trustees' office. Protests were filed by Messrs. George Crady and Curtis Lovelace. Staff recommended that the objections be overruled and easements for the public project be issued.

On motion made by Mr. Williams, seconded by Mr. Faircloth and Mr. Dickinson, adopted unanimously, the Trustees overruled the objections and authorized issuance of the easements applied for by Jacksonville Port Authority.

VOLUSIA COUNTY - Easement, Section 253.03 Florida Statutes.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of easement to Florida Power & Light Company, 10 feet wide by 78 feet in length, underground cable to be placed to furnish electric service to the new library building of the Council for the Blind which agency had reviewed and approved the request.

CHARLOTTE COUNTY - Corrective Easement. On motion by Mr. Williams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of a corrective instrument requested by Dewey A. Dye, Jr., attorney representing West Coast Inland Navigation District, to supersede Trustees Instrument No. 23678 as recorded in O. R. 186, page 271, public records of Charlotte County.

PALM BEACH COUNTY - File No. 2138-50-253.12, Application to Clear Land Title. P. J. Brannen, Jr., attorney, on behalf of John Aragona Enterprises, Inc., applied to purchase 0.28 acre parcel of sovereignty land lying within the Government Land Office meanders of Boca Ratones Lagoon (which is now non-existent). Purpose of the application is to clear title to the hiatus, for which applicant offers $840 for the parcel, at the rate of $3,000 per acre. Staff appraisal of a nearby conveyance of lands similarly situated placed a value of $1,573.40 per acre in 1963. Staff recommended application be advertised for objections only.

Only four members being present at this time, the Trustees deferred action.

MARTIN COUNTY - File No. 724-43-253.12(5), Application for Filled Parcel. William F. Crary, attorney representing Mrs. Lillian Weisenberger, submitted application for the purpose of acquiring land under provisions of Section 253.12(5) Florida Statutes. The 0.21 acre parcel was filled between 1961 and 1962 during construction of causeway and bridge approach for State Road S-707-A over the Indian River. In addition to an application processing fee the statute appears to authorize consideration for conveyance in this category. Submerged lands in this area have been appraised at the rate of $2,180 per acre in 1961. Staff recommended advertisement for objections only with applicant required to defray cost of an up-to-date appraisal.

Only four members being present at this time, the Trustees deferred action.

BREVARD COUNTY - Modification of NASA Dedications 23151 and 23151-A. U. S. A. Corps of Engineers, Jacksonville District, requested execution of modification of dedication to cover foreseeable contingencies not embraced in the modification executed by the Trustees on March 8, 1967, in order to allow a secondary use not conflicting with the primary use as a Space Launch Center. Contemplated secondary use is for establishment of a wildlife refuge and/or public park and recreation area.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that the request be approved contingent upon review and approval as to legality and form by the Attorney General.

DADE COUNTY - Dredge Permits, Sections 253.124 and 253.123 F. S.

1. The Board of County Commissioners of Dade County by Resolution No. R-112-69 adopted January 21, 1969, issued a construction permit under the provisions of Section 253.124 Florida Statutes, to Atlas Terminals of Florida, Inc., to fill lands lying landward of the established bulkhead line in Section 3, Township 52 South, Range 42 East, in Dumfoundling Bay, Dade County.

Also, Atlas Terminals of Florida, Inc., applied for permit to remove 433,000 cubic yards of material from the northern part of Dumfoundling Bay in Section 3, Township 52 South, Range 42 East, and tendered check for $43,300 as payment for the material.

2. The Board of County Commissioners of Dade County by Resolution R-1374-68 adopted November 19, 1968, issued a construction permit under provisions of Section 253.124 Florida Statutes, to Raymond G. Williams to fill lands lying landward of the established bulkhead line in Section 10, Township 52 South, Range 42 East, in Dumfoundling Bay, Dade County.

Also, Saul J. Morgan and Norman Cohen, as Co-Trustees, successors in title to Raymond G. Williams, applied for permit to remove 522,500 cubic yards of material from the southern part of Dumfoundling Bay in Section 10, Township 52 South, Range 42 East, for which the charge would be $52,250.

For both the above applications, the Board of Conservation biological reports stated that dredging in the proposed borrow areas would adversely affect nursery and feeding grounds for marine life.

As these two applications were related to the agreement reached in the January 27th conference with Dade County officials, the Director suggested that action not be taken, and Mr. Faircloth said they should be withdrawn from the agenda. Mr. R. B. Gautier, representing the Atlas firm, and Mr. Salomon Y. Kenney and Mr. Morgan, speaking for the second application, argued that their requests not be made to bear the brunt of the county's action on the bulkhead line, that they were different matters, that their developments involved much work, planning and expenditures.

Members expressed themselves as being aware of the developments being worth while provided there was agreement as to South Biscayne Bay, but the county had not completed its work and the situation had to be resolved. After further discussion, Mr. Hodges said that the Attorney General had advised that the county would have to advertise for a change in the bulkhead line for a period of 30 days, therefore he withdrew his recommendation that the two dredge and fill applications be removed from the agenda.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, that dredge and fill applications under Sections 253.124 and 253.123 Florida Statutes be approved for Atlas Terminals of Florida, Inc., and for Saul J. Morgan and Norman Cohen, as Co-Trustees, Successors in title to Raymond G. Williams.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a permit to Florida Power & Light Company, Miami, Florida, to install a submarine cable crossing the Miami River at SW 2 Avenue and SW 5

Street in Section 37, Township 54 South, Range 41 East, Miami, Dade County, without requirement of biological study as provided under Section 253.123(3)(a) since the work will serve the public need.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of state commercial dock permit for $100.00 processing fee, to Bay 23 Corporation, Miami, Florida, for a parallel dock in Biscayne Bay in Section 30, Township 53 South, Range 42 East, Dade County.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes, File No. 79

At the request of Mr. Hodges, the Trustees removed from the agenda an application from George R. Dennis for permit for boat basin and breakwater in the Atlantic Ocean at Lower Matecumbe Key in Section 21, Township 64 South, Range 36 East, Monroe County.

Florida Board of Conservation reported that "By January 21, 1969, construction had progressed to the point where it was impossible to determine if valuable marine habitat had been destroyed by this project . . . the completion of the project will not increase any adverse effects which may have already occurred."

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes, File No. 56

L. P. Ralston of Islamorada, Florida, applied for permit to construct a navigation channel 50 feet wide by 5 feet deep by 300 feet long in Tarpon Basin at Key Largo in Section 22, Township 61 South, Range 39 East, Monroe County. Florida Board of Conservation reported the area was vegetated and while the channel was not excessively wide, it would destroy vegetation and adversely affect marine life. The report further stated that this channel itself might not have a significant effect on the surrounding area, but a small channel such as this in front of every 100 foot tract would have serious effects.

On motion by Mr. Dickinson, duly adopted, the Trustees authorized issuance of a permit for dredging the navigation channel.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes, File No. 88

On motion by Mr. Dickinson, duly adopted, the Trustees approved dredge permit for James A. Selman to construct navigation channel 25 feet wide, 5 feet deep and 600 feet long in Bogie Channel in Section 23, Township 66 South, Range 29 East, Monroe County, to serve applicant and his neighbor.

The material would be placed on applicant's upland property, and Florida Board of Conservation reported that the submerged lands in the area were vegetated and valuable to marine resources, but access channel should have only limited adverse effects on marine life.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes, File No. 65

Robert E. Scharf, et al, applied for permit to construct a navigation channel 1800 feet long, 50 feet wide, and 15 feet deep adjacent to Geiger Key in Sections 27 and 34, Township 67 South, Range 26 East, Monore County. Applicant tendered check for $2,000 as payment for the 20,000 cubic yards of material to be removed from the overcut, which would be deposited on applicant's upland property.

Florida Board of Conservation reported that while the submerged lands in the area are vegetated, the proposed channel to provide access to applicant's property should not seriously affect marine life of the area.

On motion by Mr. Dickinson, duly adopted, the Trustees approved the dredge permit.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued a permit to Roy J. Deeb of St. Petersburg, Florida, to construct a T-head dock in Boca Ceiga Bay in Section 30, Township 31 South, Range 16 East, Pinellas County. All required exhibits including $100 processing fee were submitted for state commercial dock permit.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, that the dock permit be approved.

WAKULLA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved a permit for Lester Lewis for a perimeter navigation channel 35 feet wide by 4 feet deep by 700 feet long at Live Oak Island, Forbes Purchase, in Township 5 South, Range 1 East, Wakulla County. The material removed will be deposited on applicant's upland. Florida Board of Conservation biologist reported that the dredge area had been adversely affected by oil from a leaking barge and no adverse effects from the project were foreseen.

BROWARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. On motion duly adopted, the Trustees approved issuance of a permit to the City of Fort Lauderdale to install a sanitary sewer outfall in North Fork of New River in Section 4, Township 50 South, Range 42 East, Broward County, without requirement of a biological survey as provided in Section 253.123(3)(a). The Florida Air and Water Pollution Control Commission had no objection to the installation.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. On motion duly adopted, the Trustees approved issuance of a permit to the City of Fort Myers to install a sanitary sewage outfall in the Caloosahatchee River in Section 3, Township 45 South, Range 24 East, Lee County, without requiring a biological survey as provided in Section 253.123(3)(a) Florida Statutes. The Florida Air and Water Pollution Control Commission had no objection to the installation.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes. On motion by Mr. Dickinson, adopted without objection, the Trustees approved issuance of a permit to Florida Power & Light Company, West Palm Beach, Florida, to install a submarine cable crossing under the Intracoastal Waterway at State Road 707 in Section 31, Township 40 South, Range 43 East, Palm Beach County, without requiring a biological survey as provided in Section 253.123(3)(a) Florida Statutes.

MARTIN COUNTY - Dredge Permit, Section 253,123 Florida Statutes. On motion by Mr. Faircloth, duly adopted, the Trustees approved issuance of a permit to Southern Bell Telephone & Telegraph Company for installation of a submarine cable across the Indian River in Sections 35 and 36, Township 37 South, Range 41 East, and in Section 31, Township 32 South, Range 42 East, Martin County, without requiring a biological survey as provided in Section 253.123(3)(a) Florida Statutes.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. On motion adopted without objection, the Trustees approved issuance of a permit to Florida Power & Light Company, West Palm Beach, Florida, for the installation of a submarine cable across the Intracoastal Waterway at Hobe Sound, Florida, north of State Road 707 in the Gomez Grant, Township 39 South, Range 42 East, Martin County, without requiring a biological survey as provided in Section 253.123(3)(a) Florida Statutes.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 73. Delbert L. Layton, Mayor of the City of Layton in Monroe County applied for permit to construct a navigation channel and boat basin on submerged lands that he had purchased from the Trustees in Government Lot 2, Section 33, Township 64 South, Range 35 East, Monroe County. The material removed from the excavation would be deposited on applicant's upland property.

The Florida Board of Conservation reported that the proposed navigation channel would destroy some marine habitat, but would provide access to the applicant's property. A portion of the proposed basin had been previously blasted, destroying some vegetated habitat, and further destruction of the vegetated area would have adverse effects on marine life, report stated. The applicant had advised that the project would create a municipal marina.

As this application had after-the-fact aspects, Mr. Adams asked if any damage would be done by holding it for one week.

The staff was directed to hold the application for one week.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Power & Light Company, West Palm Beach, Florida, applied for permit to install a submarine cable across the Indian River in Section 1, Township 36 South, Range 40 East, and in Section 5, Township 36 South, Range 41 East, in the Indian River 5.66 miles South of South Fort Pierce Bridge in St. Lucie County. Staff requested waiver of the biological survey as provided in Section 253.123(3)(a) Florida Statutes.

On motion adopted without objection, the Trustees approved issuance of permit to the applicant without the requirement of biological

survey, for the submarine cable.

BAY COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 200

On motion adopted without objection, the Trustees approved issuance of dredge permit under Section 253.123 Florida Statutes, for channel and boat basin maintenance dredging in St. Andrews Bay in Section 1, Township 4 South, Range 15 West, Bay County, the Florida Board of Conservation report having shown that this work in channel and boat basin maintained by the city would not be adverse to marine resources in St. Andrews Bay. The applicant was the City of Panama City.

FRANKLIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 195

On motion adopted without objection, the Trustees approved issuance of permit to N. R. Robinson, Town Motel and Marina, Carrabelle, Florida, for maintenance dredging to improve navigation adjacent to applicant's docks in the Carrabelle River in Township 7 South, Range 4 West, Franklin County. Florida Board of Conservation report indicated no adverse effects on marine resources from the work.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The United States of America, Department of the Army, Jacksonville District, Corps of Engineers, applied for permit to remove material from the Gulf of Mexico offshore from Indian Rocks Beach and Treasure Island, Florida. The material removed will be used for emergency restoration and protective works on eroded Gulf beaches at Indian Rocks Beach and Treasure Island as approved by the staff of the Florida Board of Conservation. Consent of all riparian upland owners was obtained.

On motion adopted without objection, the Trustees approved issuance of the permit.

HIGHLANDS COUNTY - After-the-fact Dredge Permit, Section 253.03 Florida Statutes.

Highlands County Title & Guaranty Land Company made application for after-the-fact permit pursuant to agreement reached with the office of the Attorney General to pay for 14,690 cubic yards of material at the rate of 30 cents per cubic yard, which had been removed from Lake Grassy in Section 21, Township 37 South, Range 30 East, Highlands County. The encroachment will be removed in the manner prescribed by this office. Check in the amount of $4,407.00 was tendered for the material, and staff recommended approval.

As this was an after-the-fact application, the staff was directed to hold it. Mr Faircloth said he would like to review the application.

MAPPING AND TOPOGRAPHIC SURVEY - On motion adopted without objection, subject to approval of the Attorney General, the Trustees approved entering into an agreement between the United States Geological Survey and the State of Florida for the purpose of accelerating the topographic survey and mapping program of the state, and granted authority to accept contribution of $250,000 from the Florida Board

of Conservation for the current fiscal year for this purpose.

DADE COUNTY - File no. 1736-13-253.12 - Refund
On motion adopted without objection, the Trustees authorized issuance of refund of the $50.00 application fee filed with the Trustees on October 8, 1965, in connection with application to purchase submerged land in the Atlantic Ocean abutting Elliott Key in the City of Islandia, Dade County. Mr. John F. Michel requested withdrawal of application and refund.

The Director removed from the agenda a request regarding purchase of cameras.

SUBJECTS UNDER CHAPTER 18296

The Trustees directed the staff to hold for one week two Murphy Act items, consideration of Report No. 947 and an application for release of public purpose clause and reverter in Indian River County Deed No. 267.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR

* * * * * * * * *

Tallahassee, Florida
February 25, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges	Director

On motion duly adopted, the Trustees approved minutes of the meeting held on February 18, 1969.

DREDGING OPERATIONS - The Director reported that the study of dredge and fill operations in progress, discussed with respect to those in Monroe County in the Trustees' meeting on February 4, 1969, was continuing. In Collier, Charlotte, Lee and Sarasota Counties the 217 in progress, 42 without permit and potential violators, were being checked out.

Mr. Adams recalled that the Trustees had taken some action regarding a requirement that a permit be issued and displayed in an appropriate place. The Director said the Board did adopt such requirement, and the staff was trying to develop a satisfactory manner of displaying a permit. He mentioned difficulties to be resolved, such as the moving of dredge equipment which made it difficult for the uniformed officer to verify the permitted location for the work.

BREVARD COUNTY - File No. 1749-05-253.124, Oakland Consolidated Corporation vs. Trustees of Internal Improvement Fund, Case No. 68-472

Pursuant to stipulation entered into between attorney for plaintiff and defendant Trustees in the above-styled cause, there was placed before the Trustees on this date for immediate consideration the request of Oakland Consolidated Corporation for amendment of their dredge and fill permit denied by action of the Trustees on March 12, 1968.

Assistant Attorney General Stephen M. Slepin explained the purpose of the stipulation - to hold in abeyance litigation proceedings until the (applicant) plaintiffs had opportunity to amend their dredge and fill permit application which they had done and it was before the Trustees, to limit the dredging to areas owned by the plaintiffs.

Representing his client, Oakland Consolidated Corporation, Mr. J. Lewis Hall, Jr., showed a plat depicting areas deleted from the original dredge and fill application, reviewed the procedures and actions of his client, Brevard County and the Trustees with respect to the bulkhead line, land sale and application for permit to dredge and fill. He said that because his client could not use the land the Trustees sold to them, it was in effect a taking of the land. Mr. Faircloth said it did raise the issue of inverse condemnation and raised some fundamental questions which should be determined by the court.

Asked for his recommendation, the Director said it was a very important case and he recommended that the Trustees deny the amended application. The policy of the Trustees adopted on December 31, 1968 and instructions to the staff were that all dredge and fill applications be denied in all areas until the county had reviewed its bulkhead line in the light of Interagency Advisory Committee recommendations and submitted revised bulkhead line following the mean high water line where recommended or if elsewhere, a showing of the public interest justifying the location of the bulkhead line. Mr. Hodges said that Oakland Consolidated was asked to handle the amended application through the local governing body.

After further discussion, questions by members answered by Mr. Hall, Attorney General Faircloth and the Director, motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees deny the amended application for dredge and fill permit to

Oakland Consolidated Corporation.

BREVARD COUNTY - Permanent Spoil Easement. The City of Eau Gallie, sponsoring agent, on behalf of the United States, requested permanent spoil easement embracing 14.59 acres in the Indian River adjacent to Sections 21 and 22, Township 27 South, Range 37 East, in connection with improvement of Eau Gallie Harbor authorized by Congress.

The State Board of Conservation biological report indicated that some damage to marine resources would be done to the area contemplated for spoiling. The Trustees' staff recommended issuance of the easement. Mr. Hodges said that when such items came to the Trustees for consideration, with unfavorable biological reports, he thought the Trustees should consider the broader spectrum, the public interest, in addition to conservation factors. Mr. Adams thought that should relieve the apprehensions of some people, and Mr. Christian said it was a good way to present the matters.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of permanent spoil easement as requested.

DUVAL COUNTY - The State Road Department requested dedication of right of way over bottoms of the Ortega River in connection with bridge construction in John H. McIntosh Grant (Section 42), Township 3 South, Range 26 East, Parcel No. 118.1, Section 72030-2504, State Road 15. No dredging or filling was contemplated.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved dedication of the parcel requested by the State Road Department for right of way.

MARTIN COUNTY - File No. 724-43-253.12(5) William F. Crary, attorney representing Mrs. Lillian Weisenberger, submitted an application to acquire land under the provisions of Section 253.12(5) Florida Statutes. The 0.21 acre parcel in Section 15, Township 37 South, Range 41 East, Martin County, was filled between 1961 and 1962 during construction of causeway and bridge approach for State Road S-707-A over the Indian River.

In addition to an application processing fee, the statute appeared to authorize consideration for conveyance in this category. The submerged lands in the area were appraised in 1961 at the rate of $2,180.00 per acre. Staff recommended advertisement of the parcel for objections only, and that applicant be required to defray cost of an up-to-date appraisal.

On motion by Mr. Adams, seconded by Mr. Faircloth and Mr. Christian, and adopted unanimously, the Trustees accepted the staff recommendations.

PALM BEACH COUNTY - File No. 2138-50-253.12 Mr. P. J. Brannen, Jr., attorney, submitted application on behalf of John Aragona Enterprises, Inc., for purchase of 0.28 acre of sovereignty land lying within the Government Land Office meanders of Boca Ratones Lagoon (which is now non-existent). Purpose of the application was to clear title to the hiatus, and applicant offered $840.00 for the parcel at the rate of $3,000.00 per acre. Staff appraisal of a nearby conveyance of land

similarly situated placed a value of $1,573.40 per acre in 1963.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement of the land for objections only.

VOLUSIA COUNTY - Section 253.03 Florida Statutes. Easement. Florida Power Corporation requested an easement to construct an electrical distribution system within Hontoon Island State Park in Volusia County to furnish electrical power to the park. The Board of Parks reviewed and approved the request.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the easement requested by Florida Power Corporation.

PALM BEACH COUNTY - File No. 20494"B"-50-253.123 and 253.124. Withdrawn from the agenda at the Director's request, for further staff work, was an application from the City of Lake Worth for a dredge and fill permit.

MONROE COUNTY - Partial After-the-Fact, Section 253.03 Florida Statutes. Central Keys Marine Corporation, in care of Bailey, Mooney, Post Associates, Inc., applied for permit to fill submerged land in Florida Bay in Section 28, Township 63 South, Range 37 East, Monroe County, acquired from the Trustees under Deed No. 21694 dated December 12, 1957, and Deed No. 21412 dated November 2, 1956. Applicant intended to complete construction of the enclosure of the yacht basin, using fill material from other sources.

The Director said the filling was in process, applicant was stopped by Trustees' office on December 11, 1968, and requested to file for a permit - which he had done, and the staff recommended approval. The Board of Conservation biological report was not favorable. Mr. Hodges said this was in Monroe County, exempt from the Bulkhead Act, applicant owned the property, having bought it from the Trustees in good faith, and there was some question as to how much legal authority the staff had to stop such work. The staff had spent many hours discussing the problems with the assistants of the Attorney General.

Assistant Attorney General Herbert Benn said it was related to the questions raised in the Oakland Consolidated Corporation case. It was suggested that the item be removed from the agenda until the outcome of that litigation.

Asked by Mr. Christian if it would work any hardship, Mr. Jim Smith replied that in several instances applicants had indicated by letter that delay would work a hardship. Mr. Adams said the staff was working to be legally consistent. Mr. Faircloth added that the decision in the Oakland case would be a guide.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees removed from the agenda the application from Central Keys Marine Corporation, and also the following similar applications:

> Delbert L. Layton, Mayor of the City of Layton, Florida; application for partial after-the-fact dredge permit for Boat Basin and Channel in Florida Bay in Section 33, Township 64 South, Range 35 East, (work started 2 years ago).

George R. Dennis, in care of Bailey, Mooney, Post Associates, Inc.; application for partial after-the-fact permit for boat basin and breakwater at Lower Matecumbe Key in Section 21, Township 64 South, Range 36 East, in Atlantic Ocean.

MONROE COUNTY - Dredge and Fill Permit, Navigation Channel.
Bluewater Trailer Village, Inc., in care of Bailey, Mooney, Post Associates, Inc., applied for permit to construct a perimeter navigation channel 850 feet long, 70 feet wide, 15 feet deep, adjacent to applicant's filled and submerged land in Hawk Channel in Section 26, Township 62 South, Range 38 East, Monroe County, and permit to place the material from the overcut on submerged land acquired from the Trustees under Deed No. 22575 dated Sept. 15, 1960. Applicant tendered check for $2,500.00 as payment for the 25,000 cubic yards overcut.

Florida Board of Conservation reported that the project would have definite adverse effects on marine life of the area.

Mr. Hodges said the application was not in the same category as the above permit applications, that this was a navigation channel.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit as requested.

SANTA ROSA COUNTY - Partial After-the-Fact Dredge Permit, Channel Dredging, Section 253.123, File 191
Barba Investment Company of Gulf Breeze, Florida, applied for a permit to complete construction of a channel 40 feet wide, 5 feet deep, and 125 feet long in Section 32, Township 2 South, Range 28 West, in Santa Rosa Sound. The applicant was engaged in the dredging operation, stopped and taken to court, fined and requested to make application for a permit. The dredge was sunk as result of recent storm in the area and applicant needed a channel to perform salvage operation to move the dredge into land.

Florida Board of Conservation reported the area was covered by Cuban shoalweed, continued dredging would have adverse effects, but adverse effects would be limited if the access channel were kept to the requested minimum. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the dredge permit.

PINELLAS COUNTY - Dredge Permit, Basin and Access Channel, Section 253.123 Florida Statutes.
Pinellas County Water and Navigation Control Authority issued Dredge Only Permit No. DO-165 to Robert Sheen, in care of George F. Young, Inc. St. Petersburg, Florida, to dredge an access channel 50 feet wide by 6 feet deep and a basin 100 feet by 85 feet by 6 feet deep in Boca Ciega Bay in Section 12, Township 31 South, Range 15 East, Pinellas County.

Applicant tendered check for $112.00 as payment for 1,120 cubic yards of material removed from the overcut.

Florida Board of Conservation biologist reported that the land in the project area was muddy, sparsely vegetated, Cuban shoalweed existed 200 feet offshore, and coon oysters were found along the existing seawall.

On motion by Mr. Faircloth, seconded by Mr. Christian and by Mr. Adams, the Trustees approved issuance of the dredge permit as recommended by the staff.

BREVARD COUNTY - Commercial Dock Permit Application
Mr. Robert G. Mungall of Cocoa Beach, Florida, applied for a permit for construction of a house on pilings that would extend 50 feet offshore and a dock facility 16 feet outboard of the house proper into the Banana River in Section 10, Township 27 South, Range 37 East, Brevard County. The construction would be in the proposed Banana River aquatic preserve.

Staff recommended disapproval. Applicant's upland ownership was of sufficient depth for his proposed home. Approval of the application would open the door for over-the-water housing developments without just compensation for the use of the sovereignty bottoms.

Mr. Mungall said he desired to build a house-dock combination approximately one mile north of Melbourne Causeway, and had secured approval of the county. He had not found anything in Chapter 253 Florida Statutes which applied to what he proposed, but he had been informed by the Trustees office that an application for a dock and boathouse would be accepted.

Mr. Faircloth said the policy of the Trustees had been against this type of structure and this use of sovereignty lands. He added that at one time it resulted in eyesores in South Florida out in the Bay.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees disapproved the application as recommended by the staff.

Governor Kirk asked the Director to take a look at the campsites in the south shoal area in Biscayne Bay, south of Key Biscayne, where the Trustees had authorized a number of one-acre private leases for one year with option for renewal on a year-to-year basis for an additional four years. The area was sometimes known as "Stiltsville."

LAKE COUNTY - Amend Existing Dock Permit
Lawrence W. Russell of Clermont, Florida, applied to amend existing dock permit No. CD-276, to add two bedrooms, bath and living room on the shoreward side of the structure which extends 60 feet into the land from the shoreline.

Staff recommended disapproval. The proposed structure would set a precedent by permitting construction of housing offshore in fresh water lakes.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees disapproved the application.

OKALOOSA COUNTY - Commercial Dock Permit, Section 253.03 F. S.
Hudson Marina, Inc., at Fort Walton Beach, Florida, applied for a permit for construction of commercial docks for a marina in Garniers Bayou in Section 1, Township 2 South, Range 24 West, Okaloosa County.

All required exhibits including $100 processing fee were submitted and the staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to the applicant.

OKALOOSA COUNTY - Commercial Dock Permit, Section 253.03 F. S. Application was submitted by Theodore C. Cason, Sr., of Destin, Florida, for construction of a commercial dock offshore from his upland described as the East 100 feet of Lot 3-A Moreno Point Military Reservation, Official Plat No. 6735-100 Quartermaster General, Washington, D. C., located in Township 2 South, Range 23 West, Okaloosa County.

All required exhibits including $100.00 processing fee were submitted and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of state commercial dock permit to Mr. Cason.

COASTAL PETROLEUM COMPANY LEASE - Governor Kirk asked for a report in the Coastal Petroleum matter. Assistant Attorney General Herbert Benn said it was anticipated that a suit by Coastal with respect to issuance of permits allowing limestone mining in Lake Okeechobee would be dismissed by the federal court, and that suit could be a help in the possible invalidation of Coastal's offshore leases.

Attorney General Faircloth said the staff and his office were studying the records and the leases which were issued in the 1940s.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees approved the following Bidding Reports and authorized execution of deeds pertaining thereto:

Report No. 947 listing 1 regular bid for sale of a lot in Clay County at the highest bid of $100.00, under provisions of Chapter 18296, the Murphy Act

Report No. 948 listing 1 regular bid for sale of land in Nassau County at the highest bid of $1,200.00, under provisions of Chapter 18296, the Murphy Act; and Suwannee County Deed No. 101-Corrective to Hoyt L. Hall, L. James Hall, Irene H. Webb and Patricia C. Hall, to correct the description of the land conveyed in Deed No. 101 issued July 12, 1941.

INDIAN RIVER COUNTY - The City of Vero Beach requested release of public purpose clause and reverter in Indian River County Deed No. 267 dated May 25, 1942, as to Lots 5, 6 and 7, Block 5, City of Vero Beach, in order for conveyance to be made to a civic non-profit organization.

Staff recommended conveyance of the 3 lots without the public purpose clause and without reservation of state road right of way and oil and minerals to the City of Vero Beach under provisions of Chapter 21684, Acts of 1943, for a consideration of $600. The State Road Department had relinquished the state road right of way reservation as to the

three lots.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the staff recommendation be approved.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
March 11, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting held on February 25, 1969.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
The Board of County Commissioners of Lee County by resolution adopted January 15, 1969, established a bulkhead line along the mean high water line on Gasparilla Island in Section 14, Township 43 South, Range 20 East, in Boca Grande Bayou, Lee County. All required exhibits were furnished. There were no objections at the local hearing or filed in the Trustees' office.

Florida Board of Conservation biological survey report indicated that the bulkhead line set at the mean high water line would avoid adverse effects to marine life and habitats. The staff recommended approval of the line.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line as established by Lee County.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
The Pinellas County Water and Navigation Control Authority on December 3, 1968, approved a bulkhead line located along the south end of Clearwater Beach Island north to Mango Street in St. Josephs Sound in Pinellas County. All required exhibits were furnished. There were no objections at the local hearing or filed in the Trustees' office.

The Board of County Commissioners of Pinellas County and Pinellas County Water and Navigation Control Authority advised the Trustees' office that in regular meeting on January 28, 1969, the local governmental authorities found that the portion of the bulkhead line of the City of Clearwater beginning at the south end of Clearwater Beach Island north to Mango Street was in conformity with the report and recommendation of the Interagency Advisory Committee on Submerged Land Management.

Florida Board of Conservation biological survey report indicated no expected adverse effects on marine life, and the staff recommended approval of the line.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved the bulkhead line as established on December 3, 1968, by the Pinellas County Water and Navigation Control Authority.

BREVARD COUNTY - Bulkhead Line, Bennett Causeway, Section 253.122 Florida Statutes
The Board of County Commissioners of Brevard County by resolution adopted on February 6, 1969, established a bulkhead line offshore from the existing Bennett Causeway (State Road 528) in the Indian and Banana Rivers, for the four-laning of Bennett Causeway. Staff recommended approval of Segments 1, 2 and 3 in the Indian River, and Segments 1 and 2 in the Banana River, but that the Trustees withhold approval of that portion (Segment 3) located on the east shore of the Banana River for the reason that the platted location appeared to be in error. Mr. Lee Wenner, Chairman of the Board of County Commissioners of Brevard County, said he understood the situation and the problem on the east end.

There had been three objectors at the local hearing. The main objection came from the Canaveral Port Authority which claimed that Segment 3 in the Banana River crossed the submerged land owned by the Authority and could affect use of those lands by the Authority.

Florida Board of Conservation staff reported that the area inside the bulkhead line contained valuable marine life and habitats, and filling of the area would adversely affect those productive bottoms.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the bulkhead line as recommended by the staff - Segments 1, 2 and 3 in the Indian River and Segments 1 and 2 in the Banana River, excepting from approval that Segment 3 on the east shore of the Banana River.

REPORT TO TRUSTEES - Interagency Reports No. 1 and No. 3
In responce to instructions of the Trustees on December 31, 1968, to the director to report within 60 days on what, if any, action had been taken by local authorities with respect to recommendations

contained in Interagency Advisory Committee Reports No. 1 and No. 3 as they related to the 29 counties contained in these reports, Director Randolph Hodges presented a memorandum and report of action taken by county, municipal and other local public bodies having initial authority in establishing bulkhead lines pursuant to requirements of the December 31st motion of the Trustees.

With respect to the Trustees' recommendation to use Reports No. 1 and No. 3 and bulkhead line criteria set forth in the administrative rule in reviewing existing, and establishing new, bulkhead lines within their respective jurisdictions, as of February 28, 1969, 10 out of 29 counties contained in the two reports had responded, and 23 out of 52 cities had responded, to the letter dated January 10, 1969, sent out by the Trustees' office. Mr. Hodges said the staff was holding up those applications from areas where the local authorities had not acted. As the hearings on the proposed aquatic preserves proceed it was anticipated that there would be more local action and response to the Trustees, perhaps in another 30 days. The Governor suggested that the news media be notified where the cities and counties were dilatory.

It was the general consensus that additional response would be forthcoming within another thirty days, and no further action was taken by the Board.

PALM BEACH COUNTY - Fill Permit, Section 253.124 Florida Statutes. Casa Development Company (File No. 1404-50-253.124), represented by Hutcheon Engineers, Inc., applied for a fill permit pursuant to Section 253.124 Florida Statutes, involving no dredging. Owners planned to haul in fill material to be placed behind bulkhead line on submerged land purchased from the Trustees in Lake Worth in the Town of Palm Beach. By letter of February 3, 1969, the Town of Palm Beach had responded to the Trustees' request for review of their bulkhead lines.

Area Planning Board of Palm Beach County had no objection to the application. Board of Conservation biological survey report of the subject area stated that future development of the area would have little adverse effect on marine resources.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that the Trustees approve issuance of the fill permit.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Robroy Industries, Inc., of Destin, Florida, applied for permit to accomplish maintenance dredging in an existing boat basin in Old East Pass Lagoon in Moreno Point Military Reservation in Township 2 South, Range 22 West, Okaloosa County. The spoil was to be placed on applicant's upland property.

The Florida Board of Conservation staff reported that there would be no adverse effects on marine resources from the project.

On motion made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the permit.

ORANGE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Charles W. Clayton, Jr., et al, of Winter Park, Florida, applied for a permit to connect a canal constructed across his upland property, with Lake Maitland in Section 31, Township 21 South, Range 30 East, Orange County.

Staff of the Florida Game and Fresh Water Fish Commission offered no objection subject to standard stipulations in connecting canals to lakes.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted without objection, that the dredge permit be approved.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The City of Sarasota, represented by Albert G. Eddy, Director of Public Works, applied for permit to connect a newly constructed upland wet-storage marina with the waters of Sarasota Bay in the New Pass area in Section 22, Township 36 South, Range 17 East, Sarasota County.

Staff requested waiver of the biological study as provided in Section 253.123(3)(a) for the navigation channel to serve the public need.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the dredge permit as requested.

ST. LUCIE COUNTY - Easement for Bridge Right of Way, Section 253.03
Dredge Permit to Connect Diversion Canal and
Dredge Material from Long Creek, Section 253.123

The City of Port St. Lucie requested easement 200 feet wide over sovereignty lands of Long Creek and North Fork of St. Lucie River in Section 10, Township 37 South, Range 40 East, for construction of a bridge. It was planned that no fill would be placed on submerged land under the easement.

Also, the City of Port St. Lucie applied for permit to connect a 50-foot wide diversion canal with the North Fork of St. Lucie River and with Long Creek, and applied for permit for removal of 57,000 cubic yards of material from Long Creek in Section 10, Township 37 South, Range 40 East. The material would be used in construction of the approaches for a bridge to be constructed across Long Creek and the North Fork of the St. Lucie River.

Florida Board of Conservation biological survey indicated that the submerged lands under the open waters of the North Fork at the proposed construction site were not vegetated, that submerged lands on the west side of North Fork of St. Lucie River and on both sides of Long Creek were vegetated with red mangroves but that the 50-foot wide canal would minimize damage, and that dredging should be accomplished in such manner as to minimize erosion and siltation.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees approve (1) easement for bridge right of way and (2) dredge permit to connect diversion canal and dredge material, as requested by the City of Port St. Lucie in St. Lucie County.

ESCAMBIA COUNTY - Dock Permit, Section 253.03 Florida Statutes. Pensacola Beach Elks Lodge No. 2256 applied for permit to construct 3 docks for the use and benefit of members in Little Sabine Bay in Township 3 South, Range 29 West, Escambia County. Applicant submitted $10 instead of the $100 processing fee required for state commercial dock permits. All other requirements were furnished.

Under existing Trustees' policy, docks used by members of organizations or clubs are considered to come under the commercial category requiring $100 processing fee, and at least one other Elks Club had paid the $100 fee for a club dock. Staff recommended approval upon receipt of applicant's check for the additional $90. Mr. Hodges explained that the applicant by correspondence from Mr. Grady Albritton requested special consideration of payment of $10 only since the docks would be for use of members and their families only, which they considered as private use. According to Trustees' current policy, a private dock is one which will be used by the owner, his family and, occasionally, by family friends, and a dock for any other use would fall into the commercial class. Mr. Hodges said the staff would be glad to prepare and submit an amendment to the current rules for the members' consideration.

Mr. Williams felt there should be some distinction for this application, as the docks would not be open to the public or used commercially. Mr. Conner suggested that the staff take a look at a "non-profit" category, in addition to private and commercial docks.

Governor Kirk said that in the mean time, this application would require $100 fee. Mr. Faircloth said as far as he was concerned, the present policy seemed to be a good one.

On motion made by Mr. Adams, seconded by Mr. Faircloth, and adopted, the Trustees approved the staff recommendation for approval upon receipt of applicant's check for the additional amount of $90, with the understanding that the staff would review the present policy with respect to the categories of dock permits.

DADE COUNTY - Artificial Reef Permit, Section 253.03 F. S. Al Pfleuger, Inc., by its president, Albert Pfleuger, Jr., of Hallandale, Florida, applied for a permit for an artificial reef in the Atlantic Ocean 2½ miles offshore from Miami Beach, to be constructed of poured and broken concrete, drilled and anchored tires and metal relics, in 185 feet of water with a minimum clearance of 125 feet over the reef.

The U. S. Navy advised that the reef would cause no interference with naval operations, and Florida Board of Conservation staff had no objection to the reef. All required exhibits including $50 processing fee were submitted.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the permit be approved.

LEE COUNTY - Dredge Permit, Channel Construction and Relocation Sunset Realty Corp., represented by Earl Drayton Farr, Jr., attorney, applied for permission to dredge a by-pass navigation channel 80 feet wide (at bottom) by 12 feet deep and approximately 1-1/8 miles long (3/8 mile over upland and 5/8 mile over submerged bottoms owned by the applicant) in Sections 11, 12, 13 and 14, Township 43 South, Range 20 East, Lee County. The channel would connect the existing

Bayou to the Intracoastal Waterway to provide by-pass public navigation channel required in connection with bridge construction over existing Bayou pursuant to Corps of Engineers bridge permit issued on January 18, 1966. All lands over which the by-pass canal is proposed to be constructed are owned by the applicant, with the possible exception of where the canal connects into the existing Bayou. Spoil will be placed on applicant's property above the line of mean high water.

Florida Board of Conservation biological survey report indicated that the proposed by-pass channel would cross valuable marine habitat and that construction of said canal would destroy red mangroves on the island upland portion in addition to vegetated areas on submerged bottoms, which are valuable marine nursery and feeding grounds. Relocation of the channel over submerged lands in a southeast direction would reduce damage since it would take advantage of water depths approximately minus-six feet MLW.

Staff recommended approval provided the submerged land portion of the by-pass channel is oriented in a southeasterly direction to take advantage of the greater water depths, based on the report of the biologist.

Representing the applicant, Mr. Farr requested approval of the application as filed, citing the approximate four years of work on the bridge project for which the Corps of Engineers had required a by-pass channel, the compliance with Lee County's requirement to place the fill material on applicant's upland, the fact that the canal was being built for the benefit of the boating public, and was planned to be constructed on applicant's ownership. Realignment would cause additional work and delay.

Governor Kirk suggested deferment for a week, and Mr. Adams pointed out that this was the first time the matter had come to the Board for consideration and the delay might allow time for working out the problem.

Without objection, the application was deferred for a week.

PALM BEACH COUNTY - Disclaimer Reconfirmation, File 1918-50-253.129
Cedar Lane Developers, Inc., represented by Brockway, Owen and Anderson, applied for a disclaimer which the Trustees approved on October 24, 1967, but the applicant had requested that issuance be withheld until certain technical problems relative to sale of adjacent submerged lands were confirmed. Those problems had not been resolved, and applicant now requested that disclaimer be issued.

Staff recommended reconfirmation of Trustees' action of October 24, 1967, approving issuance of the requested disclaimer.

Without objection, on motion by Mr. Christian, seconded by Mr. Adams, the Trustees reconfirmed their previous approval of the disclaimer.

SARASOTA COUNTY - File 2173-58-253.12(6), Statutory Conveyance of Filled Land
Sarasota Bank and Trust Co., Trustee, applied for instrument of conveyance for two parcels of formerly submerged land in Sarasota Bay abutting fractional Section 22, Township 36 South, Range 17 East, Sarasota County, containing 0.057 acre and 0.084 acre respectively, or a total of 0.141 acre.

Under provisions of Section 253.12(6) Florida Statutes, Trustees are required to convey subject land for the appraised value of the land as it existed prior to filling. Staff appraisal indicated a value of $1,750 per acre.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the application be approved.

PINELLAS COUNTY - Power Line Easement, Section 253.03 F. S.
On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of an easement requested by Florida Power Corporation for the construction of an electrical distribution system, approved by the Florida Board of Parks, to furnish electrical power within Caladesi Island State Park in Pinellas County.

DADE COUNTY - Release from Spoil Easement
On behalf of the Inter-American Center Authority, Mr. George R. Headley, Director of Site Development, requested that action by the Trustees be taken to preserve Sandspur Island in its present natural state.

The island lay within spoil easement granted to the United States and was created as a result of dredging the Intracoastal Waterway in Upper Biscayne Bay. Mr. Herman W. Schull, Jr., General Manager of Florida Inland Navigation District, indicated by letter that the island could be released from the spoil easement and he was willing to present the matter to the District's Board for consideration.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the Director to take appropriate action to preserve Sandspur Island in its present natural state.

GADSDEN COUNTY - Road Right of Way, Section 253.03 F. S.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees granted request of the State Road Department for dedication of 1.18 acre parcel of land in Section 6, Township 1 North, Range 2 West, in use by Florida Forest Service, for widening of State Road 10. The Florida Forest Service had reviewed and approved dedication of the parcel.

PALM BEACH COUNTY - Lease Assignment
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved a sublease agreement which had been approved as to form and legality by the Attorney General, between S. N. Knight & Sons, Inc., holder of Agriculture Lease No. 2341, and P. S. B. Ranch, Inc., covering 170-acre part of the total leased area in Palm Beach County.

SHELL LEASE REPORT - On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees accepted for the record the following report of remittances to Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 5,095.94
1788	Benton and Company	10,195.63
2233	Bay Dredging & Construction Co.	5,811.51

ALACHUA COUNTY - The Board of Regents requested the Trustees to convey title to Lot 12 of Fraternity Area in Section 1, Township 10 South, Range 19 East, Alachua County, on the University of Florida campus to the Alumni Control Board, Beta Zeta Chapter, Delta Sigma Phi, Inc., for a consideration of $3,800 for the purpose of construction of a housing facility. Title would be held by the fraternity subject to certain restrictions and reservations whereby, following established policy of the University, the property would be subject to University regulations and to repurchase by the Trustees in the event that construction of a suitable house approved by the Board of Regents is not commenced within four years.

The proposed deed was approved by the Attorney General as to form and legality. Staff recommended approval, subject to the said restrictions and reservations.

On motion by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the request.

DADE COUNTY - Duplicate Deed. On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of a duplicate of Trustees Deed No. 20413 dated June 17, 1953, to Marlo, Inc., for handling charge of $25.00. Request was made by Harvey Baxter, attorney, who advised that the original deed was lost prior to recording in the public records.

SUBJECTS UNDER CHAPTER 18296

On motion made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved Bidding Report No. 949 and sale under the provisions of Chapter 18296, Acts of 1937, the Murphy Act, of a parcel of land in Jefferson County for highest bid of $400.00 to Jack Simpson.

Also listed on Report No. 949. The Trustees on motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, authorized issuance of County of Dade Deed No. 405-Corrective to Sidney Yospe in lieu of original Murphy Act Deed No. 405 dated July 20, 1940, to correct the description of the land conveyed, for a handling charge of $25.00.

BROWARD AND PALM BEACH COUNTIES - Refunds. On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees authorized refunds in the amount of $10.00 to each of the following applicants for release of state road right of way reservations, for the reason that the State Road Department did not recommend release of the reservations:

James F. Pollack, applicant for release of the reservation in Broward County Murphy Act Deed No. 1202;

J. W. Nowlin, application for release of reservation in Palm Beach County Murphy Act Deed No. 1197.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
March 18, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges	Director

On motion duly adopted, the Trustees approved minutes of the meeting of March 11, 1969.

BAY COUNTY - Mariculture

Motion was made by Mr. Conner and adopted without objection that the rules be waived to allow discussion and consideration of request from a delegation from the Bay County area endorsing the further development of the mariculture industry and Akima International, Inc., project in an area near Panama City known as St. Andrew Sound. Honorable Bob Sikes, Member of Congess, by telegram to members had expressed his interest and suggested that the Cabinet record its support of the new industry of mariculture.

Mr. Elbert Dukate, as a citizen of Bay County and representative of those citizens and local groups who had endorsed the Akima project, made a presentation in its behalf and in favor of a resolution of endorsement by the Cabinet. There was no one present in opposition but it was reported that there were some people seriously concerned about protection of the public use of the water column.

Honorable J. R. Middlemas, Representative of District 8, from Panama City, said that guide lines should be established that would be followed when actual applications for leases come before the Trustees. Director Hodges said the staffs of the Board of Conservation and the Trustees were developing guide lines for consideration by the Trustees, and a suitable lease agreement with reasonable rental fees. An application was pending which would soon need to be processed.

A proposed resolution was discussed and members agreed to a modification of the last clause as suggested by Mr. Faircloth. Mr. Conner requested that the terminology be clarified as to the assistance to be given by the Board of Conservation.

On motion by Mr. Faircloth, seconded by Mr. Conner, and adopted unanimously, the Trustees adopted the following resolution.

RESOLUTION

WHEREAS, the Florida Cabinet sitting as Trustees of the Internal Improvement Fund is fully cognizant of the natural benefits existing along Florida's shoreline and waterways and the resultant contributions to the happiness and well-being of our citizens; and

WHEREAS, the Trustees are keenly aware of their responsibilities to the people of Florida that the biological and ecological benefits of the shoreline areas be preserved for the public good; and

WHEREAS, Akima International, Inc., an American company licensed to do business in Florida, has developed a technique for year-round shrimp cultivation which offers the possibility of contributing to the well-being of the people of Florida; and

WHEREAS, Akima International, Inc., has agreed to work closely and with full advice and consent of the Department of Conservation of the State of Florida;

NOW, THEREFORE THEN BE IT RESOLVED

THAT the Florida Cabinet sitting as the Trustees of the Internal Improvement Fund will - on recommendations by and under full supervision of the State Board of Conservation and its Staff - give assistance in the development of this new type of industry while at the same time taking all steps necessary to protect the public's interest in the publicly owned water column.

CLAUDE R. KIRK, JR.
Governor
TOM ADAMS
Secretary of State
EARL FAIRCLOTH
Attorney General
FRED O. DICKINSON, JR.
Comptroller
BROWARD WILLIAMS
Treasurer
FLOYD T. CHRISTIAN
Commissioner of Education
DOYLE CONNER
Commissioner of Agriculture

BROWARD COUNTY - Seawall and Revetment Line, City of Hallandale. The City Commission of Hallandale, Florida, by Resolution No. 875 (Amended) adopted February 6, 1969, fixed and located a seawall and revetment line within the entire corporate limits of the city fronting on the Atlantic Ocean, for the purpose of fixing and determining the line of demarcation between private and public lands and to provide a public beach on the ocean side of said line by hydraulically pumping sand from the Atlantic Ocean. The resolution indicated that no construction would be undertaken along the seawall and revetment line without approval of the Florida Board of Conservation.

The Broward County Erosion Prevention District and the Broward County Erosion Prevention District Advisory Committee indicated a willingness to provide 75% of the monies necessary to finance the project, with the city paying the remaining 25%. Upland owners indicated that they, on a pro-rata basis, would pay the city's 25% share.

In order to implement and finalize this project, the parties involved needed the approval of the Trustees of the Internal Improvement Fund and the Florida Board of Conservation, Beaches and Shores Division.

Staff recommended approval of the seawall and revetment line contingent upon (1) quitclaim deeds from upland owners to the land oceanward of said line and public access easements across said uplands, (2) approval of restoration plans by Division of Beaches and Shores, Florida Board of Conservation, and (3) the construction of said project subject to the recommendation, inspection, and supervision by the Division of Beaches and Shores, Florida Board of Conservation.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees adopt the staff recommendation above, as the action of the Board.

PINELLAS COUNTY - Dredge Permit, Cable Installation, Section 253.123 Florida Statutes

Florida Power Corporation of St. Petersburg, Florida, applied for permit to install a submarine cable across Dunedin Pass and St. Joseph Sound between North Clearwater Beach and Caladesi Island, to provide power to Caladesi Island State Park.

Staff recommended approval and waiver of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized issuance of the dredge permit.

SANTA ROSA COUNTY - Dredge Permit, Channel Improvement Section 253.123 Florida Statutes

Florida State Road Department applied for permit to perform maintenance dredging in Mulatto Bayou and Escambia Bay to improve navigation and rectify silting in those waters which developed after construction of State Road 8 (Interstate I-10). All material removed would be deposited on upland spoil areas.

The Florida Board of Conservation biological study indicated no adverse effects on marine resources would occur "provided the marshy areas along the bayou are not spoiled on or silted."

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the dredge permit.

LEE COUNTY - Dredge Permit, Channel Construction and Relocation
The Trustees deferred action last week on an application from Sunset Realty Corporation, represented by Earl Drayton Farr, Jr., for a permit to dredge a by-pass navigation channel in Sections 11, 12, 13 and 14, Township 43 South, Range 20 East, Lee County. The channel 80 feet wide, 12 feet deep and approximately 1-1/8 miles long over upland and submerged bottoms owned by applicant, would connect existing bayou to Intracoastal Waterway to provide by-pass public navigation channel required in connection with bridge construction over existing bayou pursuant to Corps of Engineers' bridge permit issued on January 18, 1966.

As shown in the minutes of last week's meeting, Florida Board of Conservation biological report cited damage to marine resources and relocation of the proposed channel was discussed. Mr. Farr did not agree to relocation and following the board meeting, he further conferred with Director Hodges. All lands over which the by-pass channel was proposed to be constructed were owned by the applicant, with the possible exception of where the channel connects into the existing bayou. Spoil would be placed on applicant's property above the line of mean high water.

The Director recommended approval of the application provided the applicant was informed that approval of this permit does not commit the Trustees to the approval of future projects in this area.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve the dredge permit as recommended by the staff, applicant to be informed that approval does not commit the Trustees to the approval of future projects in this area.

ALACHUA COUNTY - Drainage Easement, Section 253.03 Florida Statutes
The City of Gainesville requested 40-ft. wide drainage easement along the south side of the Sunland Training Center at Gainesville in Section 34, Township 9 South, Range 20 East, containing 3.43 acres, more or less, in Alachua County. The Board of Commissioners of State Institutions approved the request March 11, 1969.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved the drainage easement.

PALM BEACH COUNTY - Telephone Cable Easement, Section 253.03 F. S.
Southern Bell Telephone Company requested an easement for buried telephone cable in the Glades Correctional Institution housing area in Section 19, Township 43 South, Range 36 East, Palm Beach County, which had been approved by the Division of Corrections.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the easement requested by Southern Bell Telephone Company.

DUVAL COUNTY - Temporary and Perpetual Spoil Easements, File No. 2134-16-253.03

On January 14, 1969, the Trustees approved an application submitted by Mr. F. Bradley Kennelly, attorney for Jacksonville Port Authority, for permanent and temporary spoil area easements in Sections 22, 23 and 26, Township 1 South, Range 28 East, in the Hannah Mills - Sisters Creek complex, Duval County. The Trustees approved the easements subject to covenant requiring diking to prevent siltation and filling of affected creeks and tributaries.

Executed temporary spoil easement covering 34.30 acres, more or less, and perpetual spoil easement containing 59.40 acres, more or less, were furnished to the United States of America Corps of Engineers, Jacksonville District, with covenant requiring dikes and such other appurtenant structures, that would minimize the adverse effects of spoiling upon the ecological environment within the lands covered by the instruments. However, on March 7, 1969, the Jacksonville District, Corps of Engineers, notified the Director of the Trustees that the easements could not be accepted with the covenant included as issued.

Staff requested authority to issue the two easements directly to the Jacksonville Port Authority, the local sponsor.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the staff recommendation.

GLADES COUNTY - File No. 2325-A - Temporary Easement

Central and Southern Florida Flood Control District requested an additional temporary spoil easement covering approximately 3.30 acres of submerged and reclaimed river bottom land in an oxbow of the Caloosahatchee River adjacent to Canal 43 in Section 30, Township 42 South, Range 31 East, Glades County, in connection with improvement of Canal 43 (Caloosahatchee River). Easement would expire on June 1, 1970. Game and Fresh Water Fish Commission offered no objections.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the temporary easement requested by Central and Southern Florida Flood Control District.

MONROE COUNTY - File 2045-44-253.12 - Refund

Mr. Charles J. Taylor requested withdrawal of application to purchase 0.33 acre of submerged land in Buttonwood Sound in Section 28, Township 61 South, Range 39 East, Key Largo, Monroe County. Application did not reach the advertisement stage. Staff requested authority to refund the $50 application fee pursuant to Trustees' Administrative Rule Number 200-2.05(11).

On motion by Mr. Adams, seconded by Mr. Conner and adopted without objection, the Trustees authorized withdrawal of the application and refund of $50 application fee to Mr. Taylor.

TRUSTEES' FUNDS - Staff requested consideration of a resolution whereby the Trustees assume obligation of $2,514,646.18 advanced from the working capital fund to pay for the acquisition of Lots 161-168 inclusive of the original plan of the City of Tallahassee as recorded in the office of the Clerk of the Circuit Court, Leon County, Florida, and agree to repay the working capital on or before

April 1, 1969. The resolution reconfirmed action taken by the Trustees in their meeting of September 19, 1967.

Mr. Adams explained that the staff felt that for auditing purposes there was need for reaffirmation of the obligation accepted over a year ago, that it was the same resolution, and he moved its adoption. Motion was seconded by Mr. Faircloth, and without objection the Trustees adopted the following resolution:

RESOLUTION

WHEREAS, the Board of Commissioners of State Institutions has obligated itself to repay certain monies in the total amount of $2,514,646.18 advanced from the working capital fund to pay for the acquisition of the following described real property:

Lots 161-168 inclusive of the original plan of the City of Tallahassee, Florida, as recorded in the public records of Leon County, Florida, in the office of Clerk of the Circuit Court, Leon County, Florida, and

WHEREAS, the Trustees of the Internal Improvement Fund are now desirous of assuming this obligation, now therefore,

BE IT RESOLVED by the Trustees of the Internal Improvement Fund that the Trustees of the Internal Improvement Fund do hereby agree to and hereby do assume the aforesaid obligation to be repaid to the working capital fund on or before April 1, 1969

IN WITNESS WHEREOF, we place our hands and seals this 18th day of March, 1969.

CLAUDE R. KIRK, JR.
Governor
TOM ADAMS
Secretary of State
EARL FAIRCLOTH
Attorney General
FRED O. DICKINSON, JR.
Comptroller
BROWARD WILLIAMS
Treasurer
FLOYD T. CHRISTIAN
Commissioner of Education
DOYLE CONNER
Commissioner of Agriculture

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees approved Bidding Report No. 950 and sale under the provisions of Chapter 18296, Acts of 1937, the Murphy Act, of a parcel of land in Jefferson County to J. S. Oder and Cora E. Oder for the highest bid of $150.00.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

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Tallahassee, Florida
March 25, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting held on March 18, 1969.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
Presented for approval was a bulkhead line located in Boca Grande Bayou in Section 14, Township 43 South, Range 20 East, Lee County, adopted by the Board of County Commissioners of Lee County by resolution dated October 23, 1968. All required exhibits were furnished, the file showed no objections raised at the local hearing, and the staff recommended approval.

The Florida Board of Conservation biological survey report showed that the submerged lands inside the bulkhead line were muddy and sparsely vegetated.

Motion was made by Mr. Adams, seconded by Mr. Conner and adopted unanimously, that the Trustees approve the bulkhead line as set by Lee County on October 23, 1968.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
The Board of County Commissioners of Lee County adopted a resolution on May 15, 1968, locating a bulkhead line in Four Mile Cove in Section 28, Township 44 South, Range 24 East, Lee County. All required exhibits were furnished and there were no objections at the local hearing.

The Florida Board of Conservation biological survey report stated that the cove was filled with silt from previous dredging and filling in the surrounding area and that little marine life could live in the area in its present state.

Those portions of the bulkhead line which connected with the existing City of Fort Myers bulkhead lines north and south of Four Mile Cove were in conflict with the recommendations of the Interagency Advisory Committee Report No. 1, which recommended that the City of Fort Myers bulkhead lines be relocated to the line of mean high water.

Staff recommended approval of that portion of the bulkhead line beginning with "thence run South 12° 00' 00" West for 470.00 feet..." and ending with "thence run North 00° 30' 00" West for 238.15 feet". The Director said approval was not recommended for portions on each end where the line jutted out.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that the Trustees approve the bulkhead line as recommended by the staff, excepting those portions on each end.

PALM BEACH COUNTY - File No. 1991-50-253.12,
Application to be Advertised for Objections Only
DiVosta Rentals, Inc., represented by Brockway, Owen and Anderson Engineers, Inc., made application to purchase 0.614 acre parcel of submerged land in Lake Worth in Section 27, Township 43 South, Range 43 East, Palm Beach County, landward of the established bulkhead line, at the appraised price of $18,221.00 for the parcel.

The Area Planning Board of Palm Beach County had no objection to the sale. The City Manager of West Palm Beach by letter dated January 28, 1969, indicated that the bulkhead line as established would not be changed.

Florida Board of Conservation biological survey report stated that "subject area has been adversely affected by previous development work in the vicinity" and that "sale and subsequent development of this parcel should not have significant adverse effects on the marine life of the area."

Motion was made by Mr. Conner, seconded by Mr. Adams and adopted unanimously, that the parcel be advertised for objections only.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Florida Power and Light Company of Cocoa, Florida, applied for permit to install a submarine cable in Sikes Creek from State Road 520 to Kiwanis Island in Section 36, Township 24 South, Range 37 East, Brevard County.

Staff requested waiver of requirement of biological study as provided under Section 253.123(3)(a) Florida Statutes, as the public need will be served.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the dredge permit.

CHARLOTTE COUNTY - Dredge Permit, Section 253.123 Florida Statutes Archie B. Brown, on behalf of Sarasota-Charlotte Cablevision, Inc., of Englewood, Florida, applied for permit to install a submarine TV cable in Lemon Bay in Section 6, Township 41 South, Range 20 East, and in Sections 1 and 12, Township 41 South, Range 19 East, Charlotte County.

Florida Board of Conservation biological survey report indicated no adverse effects on marine resources from the installation.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes Edwin A. Crusoe of Tallahassee, Florida, applied for permit to construct a navigation channel 30 feet by 4 feet by 400 feet long across submerged land owned by the applicant, and a 30 foot by 4 foot by 30 foot extension of the proposed channel across sovereignty land in an arm of Niles Channel on the west side of Middle Torch Key in Section 19, Township 66 South, Range 29 East, Monroe County.

Florida Board of Conservation biological survey report indicated that the small navigation project should have no significant adverse effects on marine life of the area.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that the dredge permit be approved.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes George Lainhart of West Palm Beach, Florida, applied for permission to dredge a boat navigation channel 25 feet wide, 4 feet deep and 146 feet long adjacent to his dock constructed in Lake Worth in Township 43 South, Range 43 East, Palm Beach County.

Florida Board of Conservation biological report showed that the project would not be adverse to conservation.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve issuance of the dredge permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes The Pinellas County Water and Navigation Control Authority on March 4, 1969, issued Dredge-Only Permit No. DO-172 to the City of Treasure Island for removal of 20 yards of accreted material deposited adjacent to the 115th Avenue Causeway in Section 23, Township 31 South, Range 15 East, Pinellas County.

Florida Board of Conservation biological survey report indicated that removal of the material would have no foreseeable adverse effect on marine life.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted unanimously, that permit for the maintenance dredging be approved.

SANTA ROSA COUNTY - Dredge Permit, Channel Construction
File No. 253.123-176

Walter H. Smith, Project Engineer, on behalf of Escambia Chemical Company of Pensacola, Florida, applied for permit for construction of a barge channel 100 ft. wide, 10 ft. deep, 4,300 yards long, to connect applicant's upland plant facility with the Intracoastal Waterway in the upper part of Escambia Bay.

Florida Board of Conservation biologist reported that placement of spoil adjacent to the entire easterly side of the channel as originally planned by applicant would be adverse to marine life, and recommended relocation of spoil areas. In accordance with said recommendation, a portion of the material removed during construction will be placed in two areas in Escambia Bay located 5,000 feet apart and 750 feet easterly of the proposed barge channel. The remainder of the material, 126,000 cubic yards, will be placed on applicant's upland in Township 1 North, Range 29 West, Santa Rosa County.

Staff recommended approval subject to use of downspouts at the discharge point to minimize siltation of the waters of Escambia Bay, and payment at 10 cents per cubic yard for the 126,000 cubic yards of material to be placed on upland.

On motion by Mr. Christian, seconded by Mr. Williams, and adopted unanimously, the Trustees accepted the staff recommendations as the action on this application.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes

The City of Miami Beach, Office of Director of Public Works, applied for permit for extending the existing 7,000 foot ocean outfall an additional 5,000 feet into the Atlantic Ocean, which would permit discharge of sewage in approximately 140 feet of water instead of the present 40-foot water depth.

Florida Board of Health approved the extension on March 6, 1969, and Florida Air and Water Pollution Control Commission concurred.

Staff requested waiver of requirement of a biological report as provided in Section 253.123(3)(a), since the public need will be served by the ocean outfall extension.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the dredge permit.

BREVARD COUNTY - Dredge and Fill Permit
Section 253.124 Dedication No. 24918 and
Section 253.123, Temporary Easement No. 2356

The Board of County Commissioners of Brevard County issued a permit under the provisions of Section 253.124 Florida Statutes, to the Florida State Road Department to fill the submerged lands within the Pineda Expressway causeway in the Indian and Banana Rivers in projected Sections 19, 20, 21 and 22, Township 26 South, Range 37 East, Brevard County.

Florida State Road Department applied for permit for the removal of 2,808,167 cubic yards of material from the borrow areas in the Banana and Indian Rivers which were granted to the State Road Department under Temporary Easement No. 2356 dated January 15, 1969.

Florida Board of Conservation biological report dated November 21, 1968, stated that the areas selected by the Road Department were well chosen to lessen damage to marine resources from the dredging.

On motion by Mr. Christian, seconded by Mr. Williams and adopted the Trustees approved issuance of dredge and fill permits to fill lands granted by Trustees of the Internal Improvement Fund Deed No. 24918 under provisions of Sections 253.124 and 253.123 Florida Statutes.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S.
The Director recommended withdrawal from the agenda of an application from Chester F. Tingler for permit to dredge material from submerged land acquired from the Trustees under Deed No. 20368, and to construct a navigation channel 50 feet wide, 4 feet deep, and 400 feet long extending from applicant's submerged land in Section 14, Township 66 South, Range 32 East, Monroe County. One set of plan drawings in the file showed 600 feet filled and another set of drawings showed 800 feet filled, which brought up questions which the staff needed to resolve.

Florida Board of Conservation biological report showed that adverse effects on marine life would result and that a channel and dike had been constructed along the seaward portion of the proposed spoil area. The work was done under Corps of Engineers Permit SAJSP (65-197) which expired on December 31, 1968.

Representing the applicant, Mr. Robert S. Appleton said the dredging authorized by the Corps permit had been stopped on the expiration date, and he requested a conference with the Director regarding the application. Noting that he had made the long trip on this date to represent his client, the Director stated that the staff possibly could resolve the problem with assistance of Mr. Appleton.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the permit be approved subject to approval of the Director after further review and resolution of the over-fill problem.

MARTIN COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of commercial state dock permit applied for by Jack T. Williams, Trustee, for construction in the St. Lucie River in Section 3, Township 38 South, Range 41 East, Martin County, for which all required exhibits and $100 processing fee were submitted.

OKALOOSA COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of state commercial dock permit to Curtis A. Gentry III of Destin, Florida, for construction of four additions to an existing dock in Old East Pass Lagoon in Moreno Point Military

Reservation, Township 2 South, Range 22 West, Okaloosa County, for which all required exhibits and $100 processing fee were submitted.

MONROE COUNTY - Easement. The State Road Department requested two (2) temporary borrow pit easements in connection with replacement of Bahia Honda Bridge in Sections 32 and 34, Township 66 South, Range 30 East, Monroe County. The borrow areas contained a total of 25.5 acres, and Board of Conservation biologist reported that there were no alternate sites available that would be less damaging to biological resources.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees grant the two temporary borrow pit easements to the State Road Department.

DADE COUNTY - Easements. The District Engineer, Jacksonville District, U. S. Corps of Engineers, applied for channel right of way and easements for seven(7) spoil areas generally along the right of way through the proposed Biscayne National Monument in Dade County. It was deemed advisable that the right of way and spoil areas be committed prior to the conveyance of submerged lands in connection with the Monument project.

Since the easements lie within the area to be conveyed to the United States for Biscayne National Monument, before any spoil is placed, biological surveys will be conducted by the Department of the Interior and the Florida Board of Conservation.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees grant the easements requested for channel right of way and seven spoil areas.

INDIAN RIVER COUNTY - Disclaimer. Charles R. McKinnon of Vero Beach, Florida, requested a disclaimer covering the NE¼ of SW¼ of Section 11, Township 32 South, Range 39 East, Indian River County, by reason of a deed in 1947 making reference to an easement granted to the State of Florida under date of June 25, 1947. The easement, which was never fully executed, was an outfall ditch easement from C. G. Wilhoit, et al, to the State of Florida over the south 25 feet of the above described land. The State Road Department advised that it had no interest in the property and had voided the said easement.

Staff recommended issuance of an ex-parte disclaimer for $25.00 handling charge, disclaiming any interest in the property arising out of the unrecorded outfall ditch easement granted to the State of Florida.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees accepted the staff recommendation as the action of the board on this matter.

MONROE COUNTY - Disclaimer, File No. 2174-44-253.129
The United States, Department of the Navy, applied for disclaimer over submerged lands of the Atlantic Ocean upon which improvements (Pier No. 370) had been constructed prior to May 21, 1951. Through an oversight, the Navy did not include subject pier in their original request for disclaimer of submerged lands at Key West Naval Station

submitted on May 31, 1968. All required documents were furnished by the Navy to substantiate validity of this request and staff recommended approval.

On motion by Mr. Faircloth, seconded and adopted, the Trustees authorized issuance of the disclaimer requested by the Navy.

SHELL LEASE REPORT - On motion by Mr. Williams, duly adopted the Trustees received for the record the following report of remittances to Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 7,090.77
1788	Benton and Company	11,228.06
2233	Bay Dredging & Construction Co.	5,116.40
2235	Fort Myers Shell & Dredging Co.	1,439.25

TRUSTEES' OFFICE - Equipment. On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees authorized the staff to advertise for bids to purchase a calculator for use in the Engineering Section. The estimated cost was under $4,000.00 and payment would be made from budgeted funds.

TRUSTEES' FUNDS - Cooperative Agreement, United States Coast and Geodetic Survey and Trustees

Staff requested consideration of cooperative agreement between the United States Coast and Geodetic Survey and the State of Florida for the purpose of establishing aids and publishing data for subsequent re-establishment of the mean high water and the mean low water lines along the coastal shores of the State of Florida. Copy of proposed agreement form was furnished to each of the Trustees.

The Trustees were requested to authorize the Director to execute agreement on behalf of the Trustees and that $125,000 be authorized for expenditure during the current year on this cooperative agreement.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized the Director to execute the agreement with the U. S. Coast and Geodetic Survey on behalf of the Trustees of the Internal Improvement Fund and authorized expenditure of $125,000 during the current year on the cooperative agreement.

TRUSTEES' FUNDS - Capitol Center Property Acquisition

Mr. James Maige, owner of property in the capitol center at the northwest corner of Gaines and Bronough Streets, described as East 100 feet of South 100 feet of Lot 319, Original Plan of Tallahassee, agreed to accept $375 per front foot for his property. On December 5, 1966, the property was appraised at $400 per front foot, and on June 22, 1962, an oil company offered $47,500 provided the property could be rezoned to business use.

Staff recommended purchase at $37,500 and requested authority for expenditure of Trustees' funds for this purchase.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted

unanimously, that the property be purchased with Trustees' funds in the amount of $37,500 for the capitol center.

TRUSTEES' FUNDS - Printing

On October 30, 1968, the Trustees accepted the low bid from Rose Printing Company, Inc., for the printing and binding of Volume 36 of the minutes, to be delivered to the Trustees' office in the Elliot Building by December 19, 1968. By hand delivered letter on December 19, 1968, Rose Printing Company, Inc., requested the Trustees to extend the delivery date until December 24, 1968, for the reason that illness and absenteeism in their plant had affected production schedule. On December 19, 1968, Mr. Robert C. Parker, Director, by letter granted an extension until December 24, 1968, as requested.

On January 21, 1969, Trustees' voucher was presented to the State Comptroller for payment of $4,319.00 to Rose Printing Company, Inc., for payment of the printing and binding contract. On March 12, 1969, a letter was received from the Comptroller indicating that a penalty of $100 per day should have been assessed against Rose Printing Company, Inc., because the project had not been completed by December 19, 1968, and stating in part, "This office questioned the authority of Mr. Parker to extend the time predicated upon what apparently seemed to be a weak excuse and no proof that the Trustees were at fault in any way." The letter suggested that the matter should be brought to the attention of the Trustees and if the extension was to be granted, it should be approved by the Trustees or an assessment should be levied.

The Executive Director of the State Purchasing Commission, requested to advise on the matter, by letter of March 14, 1969, advised that in view of the facts involved, he would be reluctant to recommend that any penalty for delay in delivery be assessed, the Director's lack of authority to grant an extension to the contrary notwithstanding.

The staff recommended after-the-fact approval for extension of delivery date on printing and delivery of Volume 36 of the Minutes of the Trustees from December 19, 1968, until Noon, December 24, 1968, in order that appropriate action might be taken to clear the outstanding obligation.

On motion made by Mr. Williams, seconded by Mr. Christian and adopted unanimously, the Trustees approved the extension of delivery date of Volume 36 of the minutes and appropriate action to make payment of the outstanding obligation.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

3-25-69

Tallahassee, Florida
April 1, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting of March 25, 1969.

MARTIN COUNTY - File No. 1820-43-253.12 Land Sale
Mr. Evans Crary, Jr., attorney for Laurel Court, Inc., by telegram received on this date requested two-weeks' deferment of his client's application to purchase an 0.88 acre parcel of sovereignty land in the St. Lucie River abutting Section 32, Township 37 South, Range 41 East, Martin County, landward of the established bulkhead line in the City of Stuart, Florida. Director Randolph Hodges recommended deferment.

It was so ordered.

VOLUSIA COUNTY - File No. 1645-64-253.12 Sale Reconfirmed
On December 5, 1967, the Trustees unanimously adopted a motion to confirm the sale of an advertised parcel of submerged land containing 0.03 acre in the Halifax River in Section 35, Township 15 South, Range 33 East, Volusia County, to Lloyd E. Wall, the abutting upland owner, at the minimum price of $100.00. Due to confusion between the applicant and his representative, the payment was not transmitted and the deed did not issue.

Staff requested reconfirmation of sale for issuance of the deed.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees reconfirmed the sale and authorized issuance of deed.

BREVARD COUNTY - File No. 2176-05-253.129 Disclaimer
Leonard Spielvogel on behalf of W. O. Norwood, et ux, requested issuance of a disclaimer to 2 parcels of Indian River bottom lands comprising a total of 2.14 acres lying in Section 35, Township 24 South, Range 36 East, in Brevard County filled prior to May 20, 1951. All exhibits were furnished and the Staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the disclaimer be issued as requested for

$10 handling charge.

BROWARD COUNTY - Disclaimer
William F. Leonard, attorney for Mrs. Hazel Clarke, requested a disclaimer covering all of the W½ of SE¼ of SW¼ of Section 26, Township 49 South, Range 42 East, Broward County, lying west of Old Dixie Highway and north of the south fork of Middle River, less that part platted as Wilton Manors, per plat book 15, page 1, of the public records of Broward County, Florida.

The Attorney General reviewed the matter and stated that the State has no reason to cloud title to property obviously outside of any regulation or rule of law. Staff recommended issuance of an ex parte disclaimer for handling charge of $25.00.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, that the disclaimer be issued for $25 charge.

ALACHUA COUNTY - Dedication, Road Right of Way
The State Road Department requested dedication of 0.05 acre in Section 27, Township 9 South, Range 20 East, Alachua County, for road right of way for State Road No. 232-A, Parcel 109.1, Section No. 26003-2501.

Florida Board of Forestry approved dedication of the land under its jurisdiction for road right of way use.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, that the Trustees dedicate the parcel requested by the State Road Department for right of way.

BREVARD COUNTY - Dredge and Fill Permit, Section 253.124 F. S.
State Road No. 528, Bennett Causeway
The State Road Department applied for dredge and fill permit for construction of State Road #528, Parcel 100.1P, Section No. 70070-2511. Brevard County issued permit dated March 20, 1969, for the project.

Florida Board of Conservation biological report submitted in connection with the project indicated that the filling and dredging would have adverse effects but efforts had been made, in connection with establishing the bulkhead line, to minimize damage to marine resources. Staff recommended approval of permit.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that dredge and fill permit be authorized.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Arvida Corporation, represented by Gee & Jenson of West Palm Beach, Florida, applied for permit to perform maintenance dredging in Boca Raton Inlet, the material removed to be deposited on the beach south of the Inlet.

Florida Board of Conservation biological report indicated that the project would not have adverse effects on marine resources. A sand trap was proposed to be constructed at a later date in accordance with recommendations of Florida Board of Conservation, Division of Beaches and Shores.

On motion made by Mr. Adams, seconded and duly adopted, the Trustees approved issuance of the dredge permit for maintenance dredging.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes
General Telephone Company of Florida, St. Petersburg, Florida, applied for permit to install a submarine telephone cable across the Anclote River in Section 6, Township 27 South, Range 15 East, Pinellas County.

Staff requested waiver of requirement of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need will be served.

On motion by Mr. Christian, seconded by Mr. Adams, and adopted unanimously, the Trustees approved issuance of the dredge permit.

POLK COUNTY - Dredge Permit, Section 253.03 Florida Statutes
Application was made by S. H. Chelsted of Haines City, Florida, for permit to remove 5,000 cubic yards of material from Crooked Lake in Section 32, Township 30 South, Range 28 East, Polk County. The material removed (to provide boating access) from a proposed canal 1000 feet long, 50 feet wide (top cut), and varying in depth from 3 to 6 feet, would be placed on applicant's upland. Applicant tendered check for $500 as payment for the material.

Florida Game and Fresh Water Fish Commission had no objections to issuance of the permit subject to standard stipulations as to dredging, provided the canal was reduced to 25 feet top cut. Trustees' staff believed that reduction to 25 feet top cut was not realistic since the material (muck and decaying vegetation) would not maintain a side slope to provide adequate boating access to applicant's upland. The Director recommended approval of canal as proposed by the applicant.

Motion was made by Mr. Adams, seconded by Mr. Christian, and adopted without objection, that the Trustees approve the application as submitted, and payment of $500 for the material.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Halifax Cable TV, Inc., Daytona Beach, Florida, represented by System Engineering, applied for permit to install a submarine TV cable crossing the Halifax River south of the Port Orange Bridge in Section 2, Township 16 South, Range 33 East, Volusia County.

The biological report from Florida Board of Conservation indicated no adverse effects on marine life from the proposed installation.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the application be approved.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes
Edward B. Robinson of Destin, Florida, applied for permit authorizing the construction of an addition to an existing commercial dock in Old East Pass Lagoon in Point Moreno Military Reservation, Township 2 South, Range 22 West, Okaloosa County. All required exhibits including $100 processing fee were submitted.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that the application be approved.

SANTA ROSA COUNTY - Dock Permit, Section 253.03 Florida Statutes
Escambia Chemical Corporation of Pensacola, Florida, by Joseph S. McClure, applied for commercial dock permit to install four (4) dolphins in Escambia Bay at the entrance to the barge basin (approved by Trustees March 25, 1969) to be constructed in the applicant's upland in Township 1 North, Range 29 West, Santa Rosa County. All required exhibits, including $100 processing fee, were submitted.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that issuance of the dock permit be approved.

PALM BEACH COUNTY - File No. 20494"B"-50-253.123 and 253.124
Dredge and Fill Permit
The Director said that a telegram received on this date from John B. Waddell, City Attorney of Lake Worth, requested that the Trustees remove from the agenda the application of the City of Lake Worth for dredge and fill permit for submerged lands in Lake Worth abutting Sections 26 and 27, Township 44 South, Range 43 East, Palm Beach County, pending further consideration of the application by the Area Planning Board on April 8.

On December 3, 1968, the Trustees directed that the application be referred to the Area Planning Board, and the Director said that the recommendation received from that board more or less took both sides. The staff requested the Area Planning Board to clarify its position on the matter but to date no response had been received. The biological report indicated that the area had marginal value, but that the project was not in the best interest of conservation.

Objections had been filed and Town Manager G. R. Frost of the Town of Palm Beach was present to restate the town's objections. Since he would be unable to return for another hearing, the Trustees heard his presentation that the Town of Palm Beach was a small island approximately thirteen miles long by three-fourths mile wide with a bulkhead line set many years ago on the tidal shore, that the town was prepared to act in concert with other municipal and county agencies to withdraw the bulkhead lines as recommended by the Inter-agency Advisory Committee, that the City of Lake Worth project was in a little hiatus surrounded on three sides by the Town of Palm Beach, that while the project was sponsored by the City of Lake Worth the reported agreement with the developer indicated it was in most respects a private project, and that the Town of Palm Beach would expect for its private owners the same extensive fills now indicated as possible by the location of the existing bulkhead lines in the event the proposed landfill was approved.

At the request of the applicant, the City of Lake Worth, and on motion by Mr. Faircloth, duly adopted, the Trustees withdrew the matter from the agenda pending receipt of further recommendation from the Area Planning Board of Palm Beach County.

DUVAL COUNTY - Dredge and Fill Permit
Jacksonville Port Authority requested issuance of dredge permit pursuant to Section 253.123 Florida Statutes, and approval of fill permit issued by the City of Jacksonville pursuant to Section 253.124

Florida Statutes, to fill slip between Piers No. 2 amd No. 3, Tallyrand Docks. The borrow material would be obtained from area adjacent to Terminal Channel in the St. Johns River, Duval County.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved issuance of dredge permit and approval of the fill permit issued by the City of Jacksonville.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized refund in the amount of $20 to Dubbin, Schiff, Berkman and Dubbin for the reason that the State Road Department declined to recommend release of the State road right of way reservation contained in Dade County Murphy Act Deeds No. 2845 and No. 2846.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

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Tallahassee, Florida
April 8, 1969

The Trustees of the Internal Improvement Fund met on this date in the Capitol, in the Office of the Governor, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges	Director

On motion duly adopted, the Trustees approved minutes of the meeting of April 1, 1969.

CITRUS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
The City Council of Crystal River by Resolution No. 68-R16 adopted on December 2, 1968, fixed and located a bulkhead line within the city limits at the approximate location of the mean high water line with minor exceptions. All required exhibits were furnished, there were no objections at the local hearing, and the Trustees' staff recommended approval of the line.

Florida Board of Conservation biological survey report indicated no significant adverse effects.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve the bulkhead line as established by the City Council of Crystal River.

MANATEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes
Director Randolph Hodges advised that the Board of County Commissioners of Manatee County had requested removal from the agenda for two weeks of a bulkhead line from the north right of way line of U. S. 19 at a point 2,200 feet west of south toll gate of Sunshine Skyway, northeasterly along the south shore of Bishop's Harbor to a point about 2,000 feet west of the northeast corner of Section 24, Township 33 South, Range 17 East, Manatee County, in order to give the county opportunity to consider possible revision of plans. Mr. Hodges said that approximately 1,200 acres between the mean high water line and the bulkhead line, or 500 acres if figured between the meander line and the bulkhead line, were involved.

Consideration on this date had been scheduled and shown on an advance agenda, and the staff had tried to notify interested parties of the requested deferment. Governor Kirk asked if there were any persons present who would be unable to return in two weeks, whereupon Mr. Charles Futch who had made the biological survey for the Florida Board of Conservation stated that it was an area valuable biologically and, to him, aesthetically, and that since his survey was made there had been no topographical change in the area to his knowledge.

Without objection, the Trustees deferred consideration of this bulkhead line for two weeks as requested by the Board of County Commissioners.

DADE COUNTY - Land Sale for Advertisement, File No. 2106-13-253.12
Application was made by M. B. Garris on behalf of Leo Witz, Trustee, to purchase a parcel of sovereignty land in the abandoned Florida East Coast Canal abutting Lots 2 and 3, Tatums Subdivision, Plat Book 10, Page 64, lying in Fractional Section 11, Township 52 South, Range 42 East, Dade County, containing 2.65 acres, more or less, appraised at $1,000.00 per acre. Applicant proposed to fill the parcel by hauling in material, in order to complete the development plan.

Florida Board of Conservation biological survey report was adverse. The Interagency Advisory Committee recommended that bulkhead lines in this area be confirmed as presently located, and the parcel was landward of the established bulkhead line. The area immediately south of the subject parcel was artificially created navigable water where no dredging or fill is presently contemplated. Dumfoundling Bay to the north will be subjected to extensive dredging in connection with proposed upland development.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized the parcel advertised for objections only as recommended by the staff.

PALM BEACH COUNTY - Land Sale to Clear Title, File 2138-50-253.12
On February 25, 1969, the Trustees authorized advertisement, for objections only, of a 0.28 acre parcel of sovereignty land lying within the Government Land Office meanders of Boca Ratones Lagoon (which is now non-existent) which was applied for by P. J. Brannen,Jr., as Trustee, on behalf of John Aragona Enterprises, Inc., in order to clear title to the hiatus parcel. Notice of sale was published in the Boca Raton News, proof of publication filed in the Trustees' office, and no objection to the sale was received.

Applicant offered $840.00 for the parcel, at the rate of $3,000 per acre. Staff appraisal of a nearby conveyance of land similarly situated placed a value of $1,573.40 per acre in 1963.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the Trustees confirm sale of the small hiatus parcel to the applicant at the price offered, to clear the title.

COLLIER COUNTY - Dredge and Fill Permit, File 24805(2082-11)253.124
Sections 253.123 and 253.124 Florida Statutes
Bryant L. Hampton of Tri-County Engineering, Inc., on behalf of Alger F. Quest Co. (Marco Island Inn Properties), applied for a dredge permit to dredge an area adjacent to lands heretofore acquired, and to fill submerged lands previously acquired abutting Lots 11 through 18, Block 2, Amended Plat of Collier City, Plat Book 1, Page 58, in Section 5, Township 52 South, Range 26 East, Collier County. Approximately 7,000 cubic yards of material will be dredged, for which applicant has tendered his check for $700.00. The Board of Conservation biological survey report was not adverse and staff recommended approval.

Also, the Board of County Commissioners of Collier County issued a construction permit on May 8, 1968, under provisions of Section 253.124 Florida Statutes, which the staff recommended be approved by the Trustees.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the Trustees approve issuance of dredge permit under provisions of Section 253.123 and approve fill permit issued by Collier County under Section 253.124 Florida Statutes.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes
E. E. Bentley, City Engineer, on behalf of the Consolidated City of Jacksonville, applied for a permit authorizing the installation of a 16-inch water main across the Ortega River at Roosevelt Boulevard in Township 3 South, Range 26 East, in Duval County.

Staff recommended approval and waiver of requirement of a biological survey as provided by Section 253.123(3)(a) Florida Statutes, since the utility crossing will serve the public interest.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the dredge permit.

ORANGE COUNTY - Dredge Permit, Section 253.03 Florida Statutes
Ward S. Estey of Tangerine, Florida, on December 23, 1968, applied for permit to remove 500 cubic yards of material from Lake Ola in Section 8, Township 20 South, Range 27 East, Orange County, to improve his upland property. He tendered check for $50.00 as payment for the material.

Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the dredge permit.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Walter Kohler, represented by Tom McCarthy Associates, applied for permit to dredge in the vicinity of a proposed dock to improve navigation. Material removed would be placed on upland property.

The Florida Board of Conservation biological survey report showed that the shallow and limited dredging would not affect marine resources in the area.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized issuance of the dredge permit to improve navigation.

SANTA ROSA COUNTY - Dredge and Fill Permit
Sections 253.123 and 253.124 Florida Statutes
Carl T. Hoffman applied for dredge permit to dredge adjacent submerged lands in Pensacola Bay and fill permit to fill submerged lands previously acquired abutting the northerly right of way of State Road 30, U. S. Highway 98, in Section 5, Township 3 South, Range 29 West, in the City of Gulf Breeze, Santa Rosa County. Applicant submittec check in the amount of $6,900.00 in payment for the 69,000 cubic yards of fill material. Biological survey report from Florida Board of Conservation was not adverse to dredging and filling in this area.

Also, the City of Gulf Breeze issued a fill permit under Section 253.124 Florida Statutes, on July 24, 1967, confirmed the action by Resolution 2068 adopted on February 20, 1968, and the city's action was reaffirmed in meeting on March 17, 1969.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of dredge permit under provisions of Section 253.123 and approved the fill permit issued by the City of Gulf Breeze under Section 253.124 Florida Statutes.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes
R. S. Baynard applied for permit to construct a channel parallel to a seawall in Roberts Bay in Section 7, Township 39 South, Range 19 East, Sarasota County. The material removed from the channel 200 feet long, 25 feet wide and approximately 5 feet deep, would be deposited on applicant's upland property.

The biological survey report from Florida Board of Conservation showed that the dredge area was sandy and unvegetated. Staff recommended approval of the permit.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of dredge permit to the applicant.

DADE COUNTY - Dredge and Fill Permit, Sections 253.124 and 253.123 Florida Statutes.

The City of Miami on March 31, 1969, issued construction permit under the provisions of Section 253.124 Florida Statutes, for filling lands lying inside the existing bulkhead around Fair Isle in Biscayne Bay in Section 15, Township 54 South, Range 41 East, Dade County.

Welan Investment Company, care of Bliss & Nyitray, Inc., applied for permit to remove 200,000 cubic yards of material from offshore from Fair Isle in Biscayne Bay in Section 15, Township 54 South, Range 41 East, Dade County.

Florida Board of Conservation biological survey report indicated that the dredge area was hard, sandy bottom devoid of any sea grasses and algae. A lagoon on the south end of Fair Isle is a feeding ground for fish and is well vegetated. This island was submerged land conveyed by the Trustees in 1922, bulkheaded and filled. The wooden bulkhead collapsed and the fill eroded away.

Staff recommended approval and issuance of permit upon receipt of payment of $20,000.00 for the material.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees approved the fill permit issued by the City of Miami under Section 253.124 and authorized issuance of dredge permit under Section 253.123, subject to receipt of payment for the material in the amount of $20,000.00.

BAY COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Colonel R. J. Hartman, USAF, Commanding Officer (BCEP-R), Tyndall Air Force Base, Florida, applied for a commercial dock permit to install a floating dock at the end of an existing pier in St. Andrews Bay at Tyndall Air Force Base Reservation in Township 4 South, Range 14 West, Bay County.

Staff recommended approval and waiver of the $100 processing fee since the facility would be used by the military.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the dock permit without charge.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Carmicheal Surf Side Seven, in care of Mrs. Loretta James of Fort Walton Beach, Florida, applied for permit to construct a marina in Garnier Bayou in Section 6, Township 2 South, Range 23 West, Okaloosa County. All required exhibits including $100 processing fee were submitted.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the commercial dock permit.

PINELLAS COUNTY - Dock Permits, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority approved issuance of commercial dock permits to the following three applicants and submitted all required exhibits, including $100.00 processing fee, for state commercial dock permit for each:

1. Rovelle Simmons, Treasure Island, Florida, to construct a commercial dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East;
2. Shore View (Galt Construction Company), South Pasadena, Florida, to construct a commercial dock in Boca Ciega Bay in Section 30, Township 31 South, Range 16 East;
3. Shore Towers (Galt Construction Company), South Pasadena, Florida, to construct commercial dock in Boca Ciega Bay in Section 30, Township 31 South, Range 16 East.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved issuance of state commercial dock permits to the three applicants.

POLK COUNTY - Dock Permit, Section 253.03 Florida Statutes. C. F. Dees, Jr., of Lakeland, Florida, applied for permit to construct a commercial dock adjacent to the Holiday Inn on Lake Parker in Section 7, Township 28 South, Range 24 East, Polk County. All required exhibits, including $100 processing fee, were submitted.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved commercial dock permit.

VOLUSIA COUNTY - Dock Permit, Section 253.03 Florida Statutes. The City of Edgewater, Florida, applied for permit to construct a fishing pier extending into the Indian River from the city park in Section 2, Township 18 South, Range 34 East, Volusia County and requested waiver of the $100 fee since the pier was for public recreation.

The adjacent owners on either side objected on the grounds that a fishing pier would lessen their property values. H. W. Knowlton, who owned property south of the city park, sent copy of a petition dated February 1, 1969, to the Mayor and City Council objecting to the fishing pier.

The Director said that the staff recommended approval in view of the fact that the City Council of Edgewater and the Board of County Commissioners of Volusia County by resolutions had approved the pier construction.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted unanimously, that the Trustees approve issuance of the dock permit without charge, since it would provide additional recreational facilities for the City of Edgewater.

LEE COUNTY - J. N. "Ding" Darling National Wildlife Refuge. Representatives of the U. S. Fish and Wildlife Service had informed the staff that the Bureau of Sports Fisheries and Wildlife planned to expand the Refuge by approximately 1,200 acres. It was tentatively planned to utilize "Duck Stamp" funds for the acquisitions pursuant to authority of the Migratory Bird Conservation Act.

Under such authority it was necessary for the Bureau to receive the

approval of the Trustees of the Internal Improvement Fund and the Board of County Commissioners of the county involved.

No action was taken on this matter pending receipt of an expression from Lee County.

VOLUSIA COUNTY - File 2181-64-253.12(6)
Statutory Conveyance of Filled Land.

David L. Black, attorney representing Harry N. Jones, made application for an instrument of conveyance of 0.5 acre parcel of sovereignty land, formerly submerged land of the Halifax River, abutting Section 23, Township 14 South, Range 32 East, in Volusia County.

The parcel was filled between May 20, 1951, and June 11, 1957, and pursuant to Section 253.12(6) Florida Statutes, the Trustees are required to convey such land for the appraised value as the land existed prior to filling. Office records indicated a value of $200.00 per acre had been established.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that instrument of conveyance be issued pursuant to law.

ST. LUCIE COUNTY - Park Property Acquisition, Section 253.03 F. S.
The Florida Board of Parks requested the Trustees to accept title to a 20-acre parcel of land in Sections 25 and 26, Township 34 South, Range 40 East, St. Lucie County, conveyed by the St. Lucie County Board of County Commissioners by deed dated February 11, 1969, in order for the Park Board to construct a state museum and park on the site.

The Attorney General reviewed and approved the request which provided that the land would revert to the county in the event of non-use for a public park, recreation and museum use, and in the event a state museum is not commenced within two years from deed date.

On motion made by Mr. Adams, seconded and adopted unanimously, the Trustees granted the request of the Florida Board of Parks.

MARION COUNTY - Forest Service Lease.
The Florida Board of Forestry maintained its District and Marion County Headquarters on a parcel of 3.92 acres near Ocala on the Silver Springs Boulevard, under a lease with the Board of Commissioners of State Institutions dated October 10, 1960. The lease terminated May 10, 1969, with option to renew for ten (10) years provided the land is not needed for the operation of some tate institution under control of the Board of Commissioners of State Institutions.

An offer was received to place the parcel on the market for competitive bids, however costs involved in relocation of the District and County Headquarters would exceed the value of the land. Staff recommended denial of the purchase offer and renewal of the lease to the Board of Forestry for another 10 years.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees denied consideration of sale and authorized renewal of the lease for another 10 years as recommended by the staff.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
April 15, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting of April 8, 1969.

LEVY COUNTY - Bulkhead Line, City of Cedar Key
Section 253.122 Florida Statutes.

Presented to the Trustees for approval was the bulkhead line adopted by the City Council of the City of Cedar Key, Florida, by resolution dated March 11, 1969, located adjacent to or offshore from existing lands or islands within the city limits of the City of Cedar Key in Sections 19, 20, 29, 30, 31, and 32, Township 15 South, Range 13 East, Levy County. All required exhibits were furnished. There were some objectors at the local hearing concerning possible loss of submerged lands to which they claim title.

The biological report from Florida Board of Conservation indicated that although much of the submerged land surrounding Cedar Key was muddy and unvegetated, it was not barren of marine life. "Coon" oysters were common in almost all areas studied, the destruction of which would have a detrimental effect on the marine ecology.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted

unanimously, that the bulkhead line be approved as adopted by the City of Cedar Key.

LEE COUNTY - File No. 2146-36-253.12, Application to Purchase. Application was made by George T. Swartz on behalf of E. H. Jewett and wife, W. M. Miller, H. G. Haskell, Jr., and Katherine Hammond, to purchase 4 contiguous parcels of sovereignty land in Boca Grande Yacht Basin in Section 14, Township 43 South, Range 20 East, Boca Grande, Gasparilla Island, Lee County, sought in connection with construction of a residence, enlargement of an existing marina and boat houses.

Parcel A containing 0.02 acre was appraised at $9,650 per acre or $193.00 for the parcel. Parcels B, C, and D were appraised at $8,500 per acre or $1,863.00, $593.00, and $2,710.00 for the three parcels respectively.

The biological survey report prepared by the Board of Conservation was not adverse to development of the four parcels.

By letter of February 5, 1969, the Board of County Commissioners of Lee County responded to the Trustees' inquiry of January 10 relative to bulkhead line locations. All previous actions by predecessor County Commissioners were confirmed.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees authorized advertisement of the four parcels for objections only.

MARTIN COUNTY - File No. 1820-43-253.12, Land Sale. On April 1, 1969, the Trustees deferred for 2 weeks, at the request of applicant's attorney, consideration of the application of Laurel Court, Inc., to purchase 0.88 acre parcel of sovereignty land in the St. Lucie River abutting Section 32, Township 37 South, Range 41 East, Martin County, landward of the established bulkhead line in the City of Stuart, Florida. Previously considered and advertised for objections only, the application had been deferred for reallocation of the submerged land in an area that was concave bayward and difficulty occured in extending boundary lines, adjacent owners had objected to the proposed sale, and the Trustees directed referral to the Interagency Advisory Committee for recommendation. The Committee recommended that sale be denied until a realistic and practical bulkhead line was established to conform with the Advisory Committee report.

In response to the Trustees' request of January 10, the City of Stuart advised that they were satisfied with the established bulkhead line.

There were no adverse biological factors. In view of the Interagency Advisory Committee's recommendations, staff recommended that sale be denied without prejudice.

On behalf of the applicant, Mr. Evans Crary, Jr., said his client had applied to purchase in 1966 and was still desirous of purchasing the parcel with whatever extension boundary lines the Trustees set, and agreed to the appraised price of $1,750.00 per acre.

Director Randolph Hodges said that the Interagency Committee did not especially object but the members representing the Planning Commission had not felt that the public interest was proved. Mr. Adams noted

that the project did not extend beyond the bulkhead line.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted unanimously, that sale of the parcel be approved (confirmed).

PALM BEACH COUNTY - File No. 2187-50-253.03, Dedication.
The City of Boca Raton by Resolution No. 6-69 dated April 1, 1969, applied for a 2.92 acre, more or less, parcel of land between the meanders of the non-existent Boca Ratones Lagoon abutting Government Lot 3, Section 9, Township 47 South, Range 43 East, in the City of Boca Raton in Palm Beach County.

The parcel was upland upon which the city desired to construct a public park, a sanitary sewer lift station, and rights of way for State Road 800 (NE 40th St.) and an arterial road (NE 10th Ave,). Instrument of dedication when issued would contain public purpose and reverter clause.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized advertisement of the land for objections only.

PALM BEACH COUNTY - Dredge and Fill Permit,
File 20494"B"-50-253.123 and 253.124 F.S.
Previously considered by the Trustees on December 3, 1968, and April 1, 1969, and presented on this date was application from the City of Lake Worth for approval of fill permit issued by the city on September 3, 1968, pursuant to Section 253.124 Florida Statutes, and issuance of dredge permit pursuant to Section 253.123 to obtain 88,000 cubic yards of material for filling city-owned submerged lands in Lake Worth abutting Sections 26 and 27, Township 44 South, Range 43 East, Palm Beach County.

Deferral on both dates had been to allow review and recommendation by the Area Planning Board of Palm Beach County which could not agree that the project was in the public interest and favored moving the bulkhead lines on both shores of Lake Worth shoreward. At its meeting on April 8 after further review, the Planning Board motion to withdraw any past objections ended in a 3 to 3 tie vote with one member abstaining.

The report by the Board of Conservation biologist indicated that the area had marginal value; however, it further stated that the project was not in the best interest of conservation.

Objections and expressions of approval approximately equal in number were filed. The Town of Palm Beach objected on the basis that it "...will expect for its private owners the same extensive fills now indicated as possible by the location of the existing bulkhead lines..." The staff recommended that the request for dredge and fill permits be denied without prejudice.

Representing the City of Lake Worth were Ray H. Pearson, and Ray Steinhardt for the developer or lessee of the city-owned property, City Attorney John B. Waddell, Charlie Miner, Shelby Highsmith, Kenneth Miller, Jr., and George Ingersoll. Their presentation included the following. The city acquired about 13 acres on the east side of Lake Worth in 1955, established its bulkhead line in 1959, and applied to the Trustees in 1968 to fill 800 of the 1200 front feet. The plan to build a marina, motel, restaurant complex (worked on

over a period of 6 years) was to develop the city property with private funds in the public interest, and the proposed lease had been approved by the courts in 1967. The city had agreed to pull back its bulkhead line some 15 feet to coincide with the Town of Palm Beach bulkhead line as now established. The town had no marina and the project would offer greatly needed economic impact. An aerial map showed the area as a pocket between permanent fills. It was pointed out that during the planning years no conservation objections had been raised, and the public interest and criteria established by the Trustees were well met.

Mr. Robert C. Johnson, former mayor of Lake Worth now County Commissioner for District 3, Palm Beach County, said he objected on behalf of those who enjoy Florida's natural shoreline, he did not believe this was a public use, and he was concerned about right of way for widening the bridge and highway. He said towns in the locality were considering a roll-back of bulkhead lines to the high water mark and if the subject fill application was granted others might follow.

The Trustees asked questions regarding the accommodations for the public, provision to prevent pollution, 4-laning of the bridge and State Road A1A now being planned by the State Road Department. Mr. Adams pointed out that the city had obtained from the Trustees a release of the public purpose clause so the land was not subject to public use now. Mr. Christian favored putting the area to some useful purpose. Mr. Dickinson commended the city officials for working to get a municipal marina and other facilities which he felt the great majority of the people wanted for Lake Worth, a very conservation-minded and conservative town, and he said it was essential that plans be resolved to improve traffic conditions and that needed right of way be secured from the developers.

Mr. Pearson said he would publicly commit the developers to dedicate needed right of way for A1A. Mr. Miller said set-back requirements were provided for. Representatives of the city agreed that the city would cooperate with the State Road Department and county for the bridge and highway widening as requested by the Governor.

Mr. Adams brought up the matter of payment for fill material and Mr. Hodges said applicant had submitted a cashier's check for $8,800 to cover cost of the estimated amount of material computed at current rates.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that the Trustees approve the fill permit issued by the City of Lake Worth pursuant to Section 253.124 Florida Statutes, and authorize issuance of dredge permit pursuant to Section 253.123 to obtain 88,000 cubic yards of material at a charge of $8,800 to fill city-owned land, provided the City of Lake Worth and the developer cooperate with the State Road Department and the county in the matter of dedication of sufficient land for the required right of way for widening the bridge and State Road A1A.

BAY COUNTY - Dredge Permit, Improve Navigation.
James E. Anderson of Panama City, as spokesman for four owners, applied for a permit to construct a navigation channel 35 feet wide by 5 feet deep by 140 feet long in Pitts Bayou in Section 24, Township 4 South, Range 14 West, Bay County. Material removed would be placed on upland property.

The biological study indicated some damage would occur to grass beds but the damage would be limited because of the small size of the channel.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the dredge permit.

CHARLOTTE COUNTY - Dredge Permit, Section 253.123 F.S.
Clate E. Kesselring of Englewood, Florida, applied for permission to remove 9,000 cubic yards of material from Lemon Bay in Section 12, Township 41 South, Range 19 East, Charlotte County, to deposit on his upland property. He tendered check for $900.00 in payment.

The biological study by the Florida Board of Conservation indicated that the dredge area averaged about 9 feet deep, below the zone of optimum sunlight penetration, and the bottom was unvegetated.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the permit.

CHARLOTTE COUNTY - Dredge Permit, Section 253.123, Permit No. 36
Payment for Material from Overdredge.
Clate E. Kesselring of Englewood, Florida, tendered his check for $781.20 as payment for 3,906 cubic yards of material removed in excess of the amount authorized under permit No. 253.123-36.

Mr. Hodges said this was the first instance of recovery of payment for an overdredge found when the area was rechecked.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the permit at 20 cents per cubic yard.

HIGHLANDS COUNTY - Dredge Permit, Section 253.03 F. S.
Fred W. Maurer of Miami, Florida, applied for permit to remove 2,700 cubic yards of material from a proposed canal 400 feet long, 30 feet wide and 6 feet deep to be constructed along the front of his land on Lake Istokpoga in Section 33, Township 35 South, Range 31 East, Highlands County. The material would be placed on his upland and check for $270.00 was tendered in payment.

Florida Game and Fresh Water Fish Commission reported favorably subject to stipulations as to dredging and reduction of width from 30 to 20 feet bottom cut.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved issuance of the permit with canal width 20 feet bottom cut as recommended by the Florida Game and Fresh Water Fish Commission.

NASSAU COUNTY - Dredge Permit, Section 253.123, Permit 224.
Trusty-Hulsander Development Corporation of Jacksonville, Florida, applied for permission to connect two canals to be constructed across applicant's property with the Bells River in Sections 43, 54, and 56 in Township 3 North, Range 28 East, Nassau County. The material removed would be placed on upland.

The report from Florida Board of Conservation indicated that while the proposed 50-ft. wide by 5-ft. deep channel occured in a biologically valuable cord grass and black rush marsh, it did not portend extensive destruction of the marsh and should not have significant adverse effects on marine life in the area.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that dredge permit for the channel connection be approved.

OKALOOSA COUNTY - Dredge Permit, Section 253.123.
Application was made by D. W. Wyman, District Engineer, for Southeastern Telephone Company of Fort Walton Beach, Florida, for permit to install a submarine cable across Santa Rosa Sound in Township 2 South, Range 24 West, Okaloosa County.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes, since the needs of the public will be served.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved issuance of the permit.

PALM BEACH COUNTY - Dredge Permit, Section 253.123.
Florida State Road Department applied for permit to install a submarine cable crossing the Intracoastal Waterway in Section 9, Township 47 South, Range 43 East, Palm Beach County.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes, since the needs of the public will be served.

On motion by Mr. Conner, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the permit.

SANTA ROSA COUNTY - Section 253.123 Florida Statutes, Maintenance Dredging.
Dr. C. J. Heinberg, Mayor, on behalf of the City of Gulf Breeze, Florida, applied for permit to perform maintenance dredging in the existing boat ramp channel and around the City of Gulf Breeze pier in English Navy Cove in Section 9, Township 3 South, Range 29 West, Santa Rosa County. The material removed will be used to refurbish the beach at Shoreline Park, a municipally owned recreation area.

Staff requested waiver of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need will be served.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees approved issuance of the dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Mr. Ray Osborne on behalf of Emerald Isle, Inc., applied for permit to construct two 50-ft. by 5-ft. by 187-ft. channels connecting existing upland canals with the Halifax River in Section 13, Township 16 South, Range 33 East, Volusia County. The material removed would be placed on applicant's upland.

Florida Board of Conservation biological report indicated that the two shallow and narrow channels would not adversely affect marine resources.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the dredge permit.

DADE COUNTY - Dock Permit, Section 253,03 Florida Statutes.
Commander of United States Air Force, Homestead Air Force Base, applied for permit to construct an off-base helicopter pad in Biscayne Bay in Section 6, Township 55 South, Range 42 East, Dade County. The helicopter pad would be of open trestle construction with concrete beams and decking.

On motion by Mr. Adams, seconded by Mr. Conner and adopted unanimously, the Trustees approved issuance of the dock permit without charge.

LEE COUNTY - Dock Permit, Section 253.03 Florida Statutes.
Florida Board of Parks and Historic Memorials applied for permit to construct a boat ramp at the Koreshan State Park on the Estero River in Section 28, Township 46 South, Range 25 East, Lee County. Staff requested waiver of the $100 processing fee for this public facility.

On motion by Mr. Adams, seconded and duly adopted, the Trustees approved issuance of the dock permit without charge.

GADSDEN COUNTY - Easement.
Florida Power Corporation of St. Petersburg, Florida, requested the use of a 0.0344 acre parcel in the NE¼ of SE¼ of Section 33, Township 4 North, Range 6 West, Gadsden County, for construction and operation of an electric substation to provide service to the Town of Chattahoochee, Florida. The parcel was within a 1.24 acre tract dedicated by the Trustees on June 28, 1968, in Dedication No. 24827 to the Town of Chattahoochee, which consented and would join in execution of the easement.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted unanimously, the Trustees approved the easement.

SANTA ROSA COUNTY - Easement.
Escambia River Electric Cooperative, Inc., of Jay, Florida, requested an easment through Blackwater River State Forest property in Sections 27 and 34, Township 6 North, Range 27 West, Santa Rosa County, for construction of an electrical distribution line. The Board of Forestry had reviewed and approved the request.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the easement for electric power line.

SUBJECTS UNDER CHAPTER 18296

BREVARD COUNTY - Release Oil and Mineral Rights.
Application was made by Wesley Bray on behalf of Dr. O. A. Holzer and Universal Marion Corporation that the Trustees release oil and mineral rights on approximately 41 acres, i.e., NE¼ of NW¼ of Section 23,

Township 28 South, Range 37 East, Brevard County, which were reserved in Brevard County Murphy Act Deed No. 1095 dated June 14, 1946. Applicants had entered into a contract with Radiation, Inc., for sale of the property provided the reserved rights were released by the Trustees. Radiation, Inc., planned to build substantial factory buildings on the property.

Staff requested waiver of Item 2 of Trustees' regulations adopted on October 23, 1951, minutes for which read in part, "The land for which reservation is to be released shall not exceed one acre and..." By coordination with the Division of Geology, Florida Board of Conservation, staff determined that the oil and mineral rights in this area were valued at approximately $40 per acre. Thus, a consideration of $20 per acre or fractional acre would adequately compensate the State of Florida for release of its half interest in this approximate 41 acres.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the oil and mineral rights be released upon payment of $20 per acre or fractional part thereof as recommended by the staff.

MURPHY-ACT REPORT NO. 951 - Corrective Deeds.
On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the following corrective deeds at $25 each, which were listed on Murphy Act Report No. 951.

1. County of Santa Rosa Deed No. 183-Corrective to Delbert A. Watkins and Amy Watkins, his wife, to correct the description of the land conveyed in original Deed No. 183 dated July 21, 1943, to Peninsular-Lurton Co., Inc.

2. County of Santa Rosa Deed No. 365-Corrective to Delbert A. Watkins and Amy Watkins, his wife, to correct the description of the land conveyed in original Deed No. 365 dated May 9, 1946, to W. J. Rollo.

The description in the original deeds failed to show plat book and page numbers.

On motion duly adopted, the Trustees' meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
April 22, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Covernor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting of April 15, 1969.

COLLIER COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Collier County by resolution adopted on March 15, 1968, fixed and located a bulkhead line in Rookery Bay and Big Marco Pass in Sections 19, 20, 21, 28, 29, 30, 31, 32 and 33, Township 51 South, Range 26 East, Collier County. There were no objections filed and all required exhibits were furnished.

The biological survey report dated February 27, 1968, prepared by Florida Board of Conservation for Collier County indicated that this bulkhead line represented a compromise between maximum development and no disturbance of the subject area; and that while there would be adverse effects on marine life from dredging and filling as indicated by the bulkhead line, there had been a deliberate effort on the part of the applicants and Tri-County Engineering, Inc., to protect certain productive areas from dredging and filling.

Secretary of State Tom Adams said that Mr. Norman Herron and Mr. George Huntoon were present, that the developers had worked out with the staff, with Collier County Conservancy, and the Board of Conservation, an arrangement to deed to the state and to the Conservancy areas within private ownership, and if all developers could work in this manner the Trustees would not have the problems they have.

Mr. Herron gave the members copies of a study of the 15,000 acre Rookery Bay area prepared by the Conservation Foundation in Washington of submerged lands adjacent to the application site between Naples and Marco Island. He said it might act as guide line to many west coast problems dealing with submerged land. Members commended the extreme cooperation between developer and conservation and the effort to preserve natural resources of the Rookery Bay area by land planning.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved the bulkhead line.

CITRUS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Director said there were problems with respect to an illegal fill and road, and he asked that the Trustees remove from the agenda at this time the bulkhead line adopted by the Board of County Commissioners of Citrus County offshore in the Crystal River in Section 29, Township 18 South, Range 17 East, Citrus County.

It was so ordered.

ST. LUCIE COUNTY - File No. 2136-56-253.12, Application to Purchase. George W. Sommer on behalf of Holiday Out of America, Inc., made application to purchase a parcel of sovereignty land in the Indian River abutting Government Lots 3 and 5, Section 11, Township 39 South, Range 41 East, 3.8 acres in St. Lucie County, at the appraised value of $600.00 per acre or $2,280.00 for the parcel.

The biological study report was not adverse to the proposed plan to use the parcel in connection with a marina and mobile home development. The bulkhead line and development plan had been modified to conform with recommendations set forth in the Board of Conservation biological report of January 31, 1968.

The county reconfirmed the bulkhead line and by resolution adopted August 6, 1968, requested the Trustees to give "special consideration" to the application to purchase.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

DADE COUNTY - File No. 2094-13-253.12, Application to Purchase. Stuart W. Patton on behalf of the Jockey Club, Inc., made application to purchase a parcel of sovereignty land in Biscayne Bay abutting Lot 25, Block 1, Lots 22 through 24, Block 2, Water View Park Subdivision, Plat Book 9, Page 18, in Section 32, Township 52 South, Range 42 East, and those submerged lands lying between bayward projection of Waterview Walk to the bulkhead line, containing 1.69 acres, more or less, Dade County.

On September 24, 1968, the Trustees directed that a new appraisal be secured and applicant indicated willingness to pay the appraised price. The current appraisal valued the land at $22,151.90 per acre, which the Director said represented such a great difference in price that another appraisal might be secured.

The biological report dated June 4, 1968, stated that sale and subsequent development of this pocket would not significantly or adversely affect marine life.

Dade County responded to the January 10, 1969, request for local governing bodies to review the location of their bulkhead lines, and by letter of February 10 indicated that the county had no objection to this sale. It was in an area where Interagency Advisory Committee recommended that the established bulkhead lines remain as located.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the parcel be advertised for objections only.

BREVARD COUNTY - File No. 2150-05-253.12, Application to Purchase W. Sperry Lee on behalf of Wedgewood Enterprises, Inc., applied to purchase a parcel of sovereignty land in Newfound Harbor abutting Government Lot 4, Township 24 South, Range 36 East, 9.31 acres in Brevard County appraised at $200.00 per acre. Applicant offered $1,500.00 per acre or total sale price of $13,965.00.

The Florida Board of Conservation biologist made a report adverse to development and filling of this land, part of which would be used for road right of way purposes. Adjacent submerged properties had been filled or were in the process of being filled, between State Road 520 and the subject parcel. The bulkhead line was located offshore to accommodate the proposed North-South relief road on Merritt Island.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the parcel of land be advertised for objections only.

MONROE COUNTY - File No. 2182-44-253.12, Application to Purchase Bailey, Mooney, Post Associates, Inc., on behalf of Donald L. Wollard made application for a parcel of filled sovereignty land in Little Basin, Florida Bay, abutting fractional Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, Monroe County, containing 0.25 acre. Purpose of the application was to clear title to filled land in connection with a dry boat storage facility.

The staff updated value from $425.00 to $833.33 per acre based on an appraisal for another sale nearby, and included in the consideration a penalty of $311.00 for the deposit of an estimated 1,555 cubic yards of material (which had been trucked in) without first having acquired title to affected bottom lands and without having secured a permit. Total sale price for the parcel would be $519.33.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the parcel of filled land be advertised for objections only.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Richard V. Hale, Port Director, on behalf of Pensacola Port Authority, applied for permit to perform maintenance dredging in an existing slip in the City of Pensacola in Escambia County. Material removed would be deposited on upland property.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public need would be served.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize issuance of the permit without requiring the biological study.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes Charles H. Carlan, City Engineer, on behalf of the City of Pensacola, applied for permit for maintenance dredging in the Bayou Texar Channel and in the boat ramp and swimming areas in Bayou Texar. Material removed would be placed in designated spoil areas.

Staff requested waiver of the biological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Adams, duly adopted, the Trustees waived requirement of the biological study and approved issuance of the dredge permit to the City of Pensacola.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Colonel Lawrence S. Glass, USAF, Commander of Headquarters 4420th Combat Support Group (TAC), Hurlburt Field, Florida, applied for permit for maintenance dredging in the existing base marina canal in Section 13, Township 2 South, Range 25 West, Santa Rosa Sound, Okaloosa County. Material removed would be placed on upland.

Staff requested waiver of the biological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees waived requirement of the biological study and approved issuance of the dredge permit.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Southern Bell Telephone and Telegraph Company applied for a permit for the installation of a submarine cable across the Indian River at Fort Pierce in Sections 2 and 3, Township 35 South, Range 40 East, St. Lucie County.

Staff requested waiver of the biological study as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees waived requirement for the study and approved issuance of dredge permit to the applicant.

COLLIER COUNTY - Dock Permit, Section 253.03 Florida Statutes. Tri-County Engineering, Inc., on behalf of A. F. Quast Co. of Naples, Florida, applied for permit to construct two "T"-head docks in Big Marco Pass in Section 5, Township 52 South, Range 26 East, Collier County, for which all required exhibits, including $100 processing fee, were submitted.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize issuance of dock permit to the applicant.

PALM BEACH COUNTY - Easement for Sewer Line.
On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees granted a request from the City of Lake Worth for an easement 15 feet wide and 1500 feet long, more or less, for sewer line over reclaimed lake bottoms of Lake Clarke in Section 16, Township 44 South, Range 43 East, Palm Beach County.

VOLUSIA COUNTY - Easement for Electric Distribution Line.
On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees granted a request from Florida Power Corporation for an easement 8 feet wide and 230 feet long for a single pole electrical distribution line to serve the DeLand National Guard Armory. The Florida Military Department had reviewed and approved the request.

GULF COUNTY - St. Joseph Peninsula Park.
On April 15, 1969, the Board of Commissioners of State Institutions approved the Mental Retardation Committee's general plan for the proposed Florida Sunland Recreational Park on St. Joseph Peninsula on a 98.05 acre tract in Gulf County owned by the Trustees and under the jurisdiction of the Florida Park Board. On August 10, 1968, the Park Board agreed to lease the tract to the Division of Mental Retardation for a recreation park for the retarded.

The United States Army indicated willingness to clear and level part of the site and lay crushed shell for temporary roads, while conducting summer maneuvers in the area.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of letter of authority to the United States Army for construction of roads, clearing and leveling of land, et cetera, in accordance with the plan of the Division of Mental Retardation, upon approval of said plan by appropriate State and Federal agencies.

PINELLAS COUNTY - The Florida Board of Parks requested modification of the public purpose limitation contained in Trustees Deed No. 22263 dated September 28, 1969, to the City of Dunedin insofar as the limitation affects two parcels on the south side of Dunedin Causeway. The Park Board leased the two parcels from the City of Dunedin for use as an access to the State Park on Caladesi Island, and modification of the deed restriction was necessary to allow the land to be used for auto parking and a ferry boat dock facility.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved modification of the deed restriction as requested by the Park Board.

SURPLUS FOREST SERVICE HOUSES - The Florida Forest Service recently declared 13 small frame houses surplus due to realignment of fire detection systems and availability of housing for their fire tower personnel elsewhere. The houses ranged in age from 20 to 30 years and from fair to very poor condition. All state agencies and counties had been advised of the availability of the houses.

It was anticipated that several additonal houses would be determined to be surplus by the Forest Service in the near future, and all agencies and counties will be advised.

Trustees' staff (1) requested authority to transfer title to those houses needed by other state agencies or counties for public purposes, and
(2) recommended that the Florida Forest Service be authorized to proceed with disposition of the remainder and that the proceeds, less expenses incurred in disposal of said houses, accrue to the Trustees.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, the Trustees authorized transfer of title as requested in (1) above and accepted the recommendation in (2) as the action of the Board.

TRUSTEES' FUNDS - Request for Loan. Comptroller Fred O. Dickinson, Jr., made a motion, in order to facilitate the awarding of contract for construction of the Fourth District Court of Appeals building in West Palm Beach, Palm Beach County, Florida, within presently authorized legal time limits, that the Trustees of the Internal Improvement Fund authorize a loan of $200,000, the proceeds of such authorization to be released (1) provided there are sufficient funds in the lender's account to satisfy the loan, and (2) only when such funds are actually needed and certification for the need is made by Mr. Terry Lee, Coordinator for the Board of State Institutions, and Mr. Robert H. Brown, Jr., Architect-Engineer.

Mr. Christian proposed an amendment to the motion, which Mr. Dickinson accepted, that adoption of the motion by the Trustees was with the understanding that Representative Donald H. Reed, Jr., and the delegation from Palm Beach County would introduce a bill in the Legislature to offset this obligation.

The Secretary of State questioned commitment of an amount to exceed the $350,000 legislative limitation for the building as did Mr. Williams, who felt this was a method of bringing to the attention of the Legislature the need for additional funds.

Mr. Wallace W. Henderson, Director of Planning and Budget Commission, said an appropriation was usually intended to accomplish a complete project, that it would be better to get authorization from the Legislature for a larger project, that the Trustees could make such loans and had done it in the past. Mr. Dickinson said the request was for a temporary loan if and when the Legislature made additional appropriation.

The motion by Mr. Dickinson, amended by Mr. Christian, as set out above, was again moved by Mr. Williams and adopted unanimously.

COASTAL PETROLEUM LITIGATION - Governor Kirk said that, in the light of the action of the U. S. Corps of Engineers reported by the press, he thought the Trustees should have outside counsel in the Lake Okeechobee case for their benefit and because of the complexity of the matter.

Director Randolph Hodges said he had been advised by General Hayes, South Atlantic Division Engineer, that the Corps was not now issuing a permit, but that their procedure of taking action after issuance of state permit had been appealed to Washington which had directed the Corps office to go ahead and advertise for 30 days for public comment, since the lease from the state was an indication of state approval.

Mr. Adams said the members were concerned at the serious implications of the case and the fiscal problem it might present, that the claim now was not just the right to mine bottoms of Lake Okeechobee but might well seek recovery of millions of dollars for material dredged from the lake to build dikes, and he would be happy to move that the Chairman be authorized to work with the staff to secure whatever additional assistance the Attorney

General might need, at the Trustees' expense, as a precaution which responsible administrators of the state's interest should take.

Mr. Dickinson mentioned a law on the statute books, introduced by Mr. Emmett Roberts and himself many years ago and passed as a local bill, which prohibited any mining from the bottoms of Lake Okeechobee. He agreed that the Governor and the Board should use any available means necessary to properly defend against the exploitation of minerals in the lake.

Mr. Christian said the Attorney General was the legal officer of the Board and to take action in his absence might be premature.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the Trustees authorize the Chairman to work with the Attorney General to secure whatever additional expert assistance might be necessary in whatever field needed to assure proper adjudication of this matter, said assistance to be paid for from the Internal Improvement Fund.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees approved the following regular sales under provisions of Chapter 18296, the Murphy Act, which were listed on Report No. 952:

(1) A parcel of land described as Lot 5 of Maria Williams Subdivision of Lot 3 of a S/D of Lot 13 of Thomas Napier Grant in Township 10 South, Range 19 East, as recorded in PB "A", P 20, Public Records of Alachua County, sold to Robert G. Justiss and Elzie H. Justiss, his wife, at the high bid of $2,455.37;

(2) A parcel of land described as Lot 5 Block 166 City of Fernandina Beach in Nassau County, sold to Paul C. Burns at the high bid of $100.00.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

4-22-69

Tallahassee, Florida
April 29, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved the minutes of the meeting of April 22, 1969.

MANATEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. Presented to the Trustees with recommendation for approval, subject to agreements reached in various conferences held with Manatee County representatives, was a bulkhead line from the north right of way line of U. S. 19 at a point 2,200 feet west of south toll gate of Sunshine Skyway, northeasterly along the south shore of Bishop's Harbor to a point about 2,000 feet west of the northeast corner of Section 24, Township 33 South, Range 17 East, Manatee County. All required exhibits had been furnished.

The file showed that seven objectors were present at the local hearing, two protesting that the proposed line was too close to shore and five that it was too far offshore. Numerous objections were filed in the Trustees' office and several letters favored locating the bulkhead line at the mean high water line. A large number of interested parties were present on this date including about twenty representing the county or in favor of the bulkhead line applied for by Manatee County.

The biological report in summary indicated that establishment of the bulkhead line and subsequent development would destroy productive red mangrove and seagrass habitats. Destruction of those habitats would definitely have adverse effects upon marine animals of sport and commercial fishery importance. Current information indicated that Bishop's Harbor at the northern end of the subject area was being silted from the Port of Manatee project, and the area had also been polluted from waters discharged into Bishop's Harbor from the Borden Chemical Company plant.

The county and applicant for the bulkhead line, as the result of several conferences with the Trustees' staff, agreed to relocate certain segments landward to the vegetation line, and to provide a channel between Bishop's Harbor and Terra Ceia Bay.

Director Randolph Hodges said that from a conservation standpoint only, he could not recommend favorably; but in his position also as Director of the Trustees and weighing the conservation factors against the economic benefits he had agreed to recommend approval

if the county met certain requirements. He said they had met them, had revised this bulkhead line shoreward over a period of several months, had agreed to go through the mechanics of reviewing bulkhead lines in the remainder of the county and pull them back to the shoreline if possible. Also, it had been agreed by the developer that if the amount to be received by the state for the state-owned land and fill material did not come up to $100,000, the developer would make up the difference and the state would receive $100,000 to go back into the area for rehabilitation of the fisheries after completion of the work.

Comptroller Dickinson said he would move favorably on the application based on the Director's recommendation. There was no second to the motion.

Governor Kirk, opposed to approval prior to action by the county to revise their bulkhead line in accordance with the Interagency Advisory Committee report, indicated that the members approved the planned development but in view of other instances where the local agencies failed to fulfill their commitments, he would withhold approval until the county board had acted on the remainder of the county bulkhead lines. He questioned whether there was danger of losing the development from a delay of possibly thirty days.

Making the county presentation, Mr. Richard Hampton, County Attorney, said the County Commission by letter of March 11, 1969, agreed with the philosophy adopted by the Trustees concerning establishment of bulkhead lines, had committed the county to re-examine all existing bulkhead lines in Manatee County, had filed this bulkhead line request in June 1968 and urged that it be considered on its merits and not tied to the proposition that all other county lines be revised first - which he said would endanger a project of $1,200,000,000 which would be of tremendous benefit to the county and the state. He felt that the county could not re-examine all its lines in the thirty-day period suggested by the Governor, following the requirements of the law and of the Trustees, but that it would take at least six months, that the county did not have the funds for the necessary surveying, there were many property owners involved and probable litigation, new biological and ecological reports would be required for the fifty or more miles of county bulkhead lines.

Others speaking in favor of the bulkhead line, including Messrs Robert Hutches, Lewis Thomas, Wayne Meade and Dewey Dye, Jr., urged approval on its merits to accommodate a development of great potential value without the condition of completed re-examination of all other county lines, especially in view of the difficulty of determining the mean high water line in some areas of Manatee County. The matter of reimbursement of property owners for land excluded by relocation of the bulkhead line was also brought up.

Attorney General Faircloth agreed that the project would be of great value to the state but he said the change in the line would require 30-day notice, that proposed legislative bills might amend the laws, that it was not known exactly how much state land was involved, and withholding approval of applications until county action as recommended in the Interagency report was an indication that the Trustees were beginning to adhere to the rule, doing what they had said they would do.

Secretary of State Adams had gone over the plans in this Terra Ceia area and would like to assist in the proposed development, but in view of the responsibilities the law places in the Trustees, in view of the Dade County application where there were good intentions but no adjustment of the bulkhead line as requested by the Trustees, in view of the fact that the Board lifted the moratorium under the

hope that the local boards could be caused to conform to the Interagency report by the processing of applications, and in view of the excessive bulkhead lines in Manatee County, and now that new legislation had made changes in the membership of the Trustees and in submerged land management policies, he could not favor approval of this line piece-meal fashion.

Mr. Broward Williams, State Treasurer, thought the Board was not opposed to the project, suggested a deferment for working out a schedule, and after further discussion he indicated that since other counties had not completed re-examination and revision of their bulkhead line possibly too much was being asked of Manatee County.

The Director said he had been working with the county representatives for six weeks, that they had reached agreements with the staff, that no county had complied fully with the Interagency recommendations, and all applications had been considered by the staff in segments, which, if the Board did not approve, would not continue to be done.

There having been no second to the first motion (made by Mr. Dickinson), substitute motion was made by Mr. Adams that the Trustees approve the bulkhead line as recommended provided, however, that no action will be taken by the Trustees on sale, dredge and fill applications until a line for the remainder of the county in line with the Interagency report is recommended for action to the Trustees. Mr. Faircloth seconded the motion.

Assistant Attorney General Herb Benn said there still must be a period of advertisement, which Mr. Hampton said was a misunderstanding.

Mr. Doyle Conner, Commissioner of Agriculture, felt that this might place an undue penalty on the county, as other segments had been presented and approved.

After further discussion and statement by Mr. Hampton that he thought it was physically and legally impossible to seriously review all Manatee County bulkhead lines within the period of time that was suggested, and Mr. Hutches' statement as Chairman of the Board of County Commissioners that the county had already and did reaffirm that it would review all lines as recommended in the Interagency report and requested by the Trustees, Mr. Adams proposed an amendment to his motion.

The amended motion by Mr, Adams, seconded by Mr. Faircloth and adopted without objection, was that the Trustees adopt the bulkhead line as recommended on the agenda provided no action will be taken by the Trustees as to the sale of submerged land and dredge and fill permits until in the opinion of the Trustees satisfactory progress has been made on a bulkhead line for the remainder of the county in line with the Interagency report as adopted.

BREVARD COUNTY - Bulkhead Line, Bennett Causeway
Section 253.122 Florida Statutes

On March 11, 1969, the Trustees approved the bulkhead line established for the Bennett Causeway by the Board of County Commissioners of Brevard County by resolution adopted February 6, 1969, with the exception of Segment No. 3. That segment as shown on the plat of the bulkhead line did not extend to the east shore of the Banana River as indicated by the description in the resolution. Discrepancy caused by a draftsman's error in preparing the plat had been corrected, and on this date the staff recommended approval of Segment No. 3.

On motion by Mr. Adams, seconded by Mr. Faircloth and Mr. Dickinson, and duly adopted, the Trustees approved Segment No. 3 of the bulkhead line.

CHARLOTTE COUNTY - File No. 2119-08-253.12, Application to Purchase. Mr. Leo Wotitzky on behalf of C . E. Kesselring made application to purchase a parcel of sovereignty land in Lemon Bay abutting Lots 1 through 10 of Block 9, Chadwick Beach S/D, Plat Book 2, Page 17, public records of Charlotte County, Government Lot 3, Section 12, Tonwship 41 South, Range 19 East, Charlotte County, containing 0.23 acre appraised at $4,500 per acre by staff determination, updating a $500 per acre sale in the area made during 1966.

Applicant offered $1,035.00 for the parcel for use for commercial development of a marina-motel complex. The Board of Conservation biological report was not adverse to the project, and dredging areas were located to conform with recommendations of the biologist. The bulkhead line closely followed the mean high water line and submerged lands were applied for to smooth out the ragged shore line.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted, the Trustees authorized advertisement for objections only.

PUTNAM COUNTY - File No. 2185-54-253.03, Purchase Application. Carl C. Carnes, represented by James F. Long, applied for three parcels of sovereignty land lying above the ordinary high water line of Lake Swan, abutting Government Lot 2, Section 9, Township 9 South, Range 23 East, Putnam County.

Staff recommended that the Trustees defer consideration until May 13, 1969, for the purpose of reviewing certain objections that had arisen relative to the application.

It was so ordered.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes;
Fill Permit, Section 253.124 Florida Statutes.
File No. 22974 (614-13) - 253.124

M. B. Garris, Jr., on behalf of E. N. Claughton, Jr., requested issuance of dredge permit for 510,000 cubic yards of fill material, and requested approval of filling authorized by the City of Miami Resolution No. 33833 adopted September 5, 1962, and reconfirmed by the City Commission's attorney on April 24, 1969. Applicant tendered his check in the amount of $51,000 in payment for the material.

Board of Conservation biological report dated November 13, 1968, indicated no significant adverse effects from the development of areas landward of the bulkhead line. Interagency Advisory Committee recommended reconfirmation of bulkhead lines in this area, and the City of Miami had responded to the Trustees' staff letter of January 10, 1968.

Staff recommended approval with the stipulation that the Trustees were assuming no obligation to approve any further application in connection with this project.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of dredge permit under Section 253.123 for the material requested for $51,000, and the Trustees approved the fill permit issued by the City of Miami under

Section 253.124 Florida Statutes, provided that the Trustees assumed no obligation to approve any further application in connection with this project.

MANATEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Donald R. Lovejoy, County Engineer, on behalf of Manatee County, applied for permit authorizing maintenance dredging in an existing channel in McLewis Bayou and the Manatee River in Section 28, Township 34 South, Range 17 East, Manatee County. The channel was part of the county drainage system. The 1500 to 2000 cubic yards of material removed would be deposited in an offshore area.

Staff recommended approval provided the material removed was discharged through a downspout. Waiver of the biological study as provided in Section 253.123(3)(a) was requested, since the public needs will be served.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, that dredge permit be approved with the provision that material be discharged through a downspout.

SARASOTA COUNTY - Dredge Permit, Section 253.123 F.S.
The Sarasota County Water and Navigation Control Authority issued the following permit, subject to approval of the Trustees: Minor Work Permit No. 68-43 to W. T. Montgomery for removal of 18" to 24" of silt from an existing channel in front of applicant's upland property in Section 18, Township 37 South, Range 18 East, Little Sarasota Bay in Sarasota County. The material would be deposited on applicant's upland.

The biological report from the Florida Board of Conservation indicated no objection to removal of the silt from the shallow, unvegetated area to facilitate small boat navigation.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the dredge permit be approved.

DADE COUNTY - Dock Permit, Section 253.03 F.S.
On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of a state commercial dock permit to Clarks Marine, Incorporated, for construction of a commercial dock at 2560 South Bayshore Drive, Biscayne Bay, Dade County, for which all required exhibits, including $100 processing fee, had been furnished.

DUVAL COUNTY - Dock Permit, Section 253.03 F. S.
On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of a state commercial dock permit to J. Harold Trammell for construction of a dock on the west side of the Ortega River adjacent to Lots 11 and 12, Block 22, Ortega Farms, Plat Book 5, Page 79, Public Records of Duval County, Florida, for which all required exhibits, including $100 processing fee, had been furnished.

ESCAMBIA COUNTY - Dock Permit, Section 253.03 F.S.
On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of a state commercial dock permit to Frank K. Hubbard, Rod and Reel Lodge Marina, Inc., for a marina dock in Grand Lagoon in Section 24, Township 3 South, Range 31 West, Escambia County, for which all required exhibits, including $100 processing fee, had been furnished.

MONROE COUNTY - Disclaimer, Section 253.129 F. S.
File No. 2195-44-253.129
Fred A. Bee, on behalf of David W. Johnson, et ux, requested issuance of a disclaimer to a parcel of filled sovereignty land containing 1.3 acres, more or less, in the Bay of Florida abutting a portion of Government Lot 1, Section 11, Township 66 South, Range 32 East, Monroe County. The land was filled during 1948, and staff requested authority to issue disclaimer pursuant to Section 253.129 Florida Statutes, upon receipt of the $100 processing fee.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of the instrument for $100 fee.

SARASOTA COUNTY - Corrective Easements
Richard E. Nelson, on behalf of the U. S. Corps of Engineers, Jacksonville District, in connection with the completed New Pass Dredging Project for which Sarasota County is local sponsor, requested corrective instruments to supersede the Channel Right of Way Easement No. 23642-A and Permanent Spoil Disposal Easement No. 23643 issued March 24, 1964. The Corps of Engineers had requested changes in the legal descriptions which were minor and technical in nature.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the two corrective instruments.

BREVARD COUNTY - Corrective Deed, File No. 1547-05-253.12
On behalf of N. A. Rossman, et ux, et al, application was made by Robert H. Roth for corrective deed renaming the grantees in Trustees' Deed No. 24467(1547-05) dated May 28, 1968. Ownership of the property in question changed between January 3, 1967, when purchase contract was executed, and date of issuance of the deed.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the corrective deed upon payment of the $25 processing fee.

SHELL LEASE REPORT - On motion by Mr. Adams, adopted without objection the Trustees received for the record the following report of remittances received by the Florida Board of Conservation from holders of dead shell leases:

LEASE NO.	NAME OF COMPANY	AMOUNT
1718	Radcliff Materials, Inc.	$5,875.41
1788	Benton and Company	12,222.81
2233	Bay Dredging and Construction Company	6,155.34

PALM BEACH COUNTY - Agricultural Lease Assignment
On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved assignment of Agricultural Lease No. 2341 dated August 1, 1968, from S. N. Knight & Sons, Inc., to the Federal Land Bank of Columbia. Assignment, requested for the purpose of securing a loan using the lease as collateral security, was approved by the Attorney General as to form and legality.

DADE COUNTY - Lease Extension
The Federal Aviation Administration, Southern Region, Atlanta, Georgia, requested renewal for an additional 10 years of Lease No. 1257 expiring June 30, 1969, covering the S½ of NW¼ and S½ of SE¼ of Section 28, Township 53 South, Range 40 East, containing 160 acres, more or less, in Dade County. The state land as well as some 320 acres contiguous thereto which is owned by the United States, is being actively used by FAA in connection with its long range radio receiver station.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees authorized extension of the lease for an additional 10 years at the same rental, $160.00 per year.

PALM BEACH COUNTY - Agricultural Lease
W. P. M., Incorporated, represented by Stone, Bittel, Langer, Blass & Corrigan, Attorneys at Law, made an offer for 20-year lease of the 344.9 acres in Section 11, Township 47 South, Range 38 East, owned by the Trustees lying west of Levee L-6, for agricultural use. The state land, approximately 2½ miles east of U. S. 27, was completely blocked in by private ownership without apparent access, and the applicant owned the land lying between the state tract and U. S. 27.

W. P. M., Inc., offered an annual rental of $4.00 per acre for the first 3 years and $8.00 per acre for the remainder of the 20 years. Applicant was agreeable to a lease on the following terms suggested by the staff:

1. A term of 15 years with option for additional 5 years.
2. Annual rental of $4.00 per acre for the first 2 years and $12.00 per acre for the 3rd through 15th years, payable in advance annually or semi-annually.
3. Rental for the last 5 years would be based on an appraisal of the land and the permanent improvements thereon.
4. Land will not be allowed to remain idle for the purposes of receiving agricultural subsidies.
5. Land will not be used for sod growing.
6. All taxes will be paid by lessee.

The land had been inspected by the staff and soil information obtained from the Everglades Experiment Station. It was concluded that the best use of the land would be for cattle grazing and certain crops able to withstand the colder temperatures occurring in the south part of the county.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees authorized issuance of lease with terms and conditions suggested by the staff, subject to approval of the lease form by the Attorney General.

ALACHUA COUNTY - On March 12, 1968, the Trustees authorized 99-year lease of a 50-acre tract of University of Florida property to the University of Florida Foundation, Inc., a non-profit corporation, for an apartment project for low-income student families to replace deteriorated World War II frame barracks.

Due to Federal Housing Administration requirements, it was necessary that lease be issued to University Village Apartments, Inc., a non-profit corporation, the operating lessee whose membership was limited to directors of the University of Florida Foundation, Inc.

Honorable D. Burke Kibler, III, Chairman of the Board of Regents, recommended granting the lease, thereby filling a critical need for the project for married student housing.

On motion by Mr. Adams, seconded by Mr, Faircloth and adopted unanimously, the Trustees granted approval subject to approval of the lease by the Attorney General.

LEON COUNTY - On October 15, 1968, the Trustees authorized purchase of Lots 49 and 50, Capitol Place, West Blount Street, owned by Mrs. James Ezell, for the asking price of $13,000.00. After examination of the title the Attorney General advised that clear title could not be obtained on Lot 49 due to a permanent easement across the west 8 feet of Lot 49 to adjoining Lot 48.

Because of the delay involved in the unsuccessful efforts to eliminate the easement, Mrs. Ezell raised her selling price to $14,000.00. Appraisal dated April 16, 1969, by W. H. Cates reported a current market value of the two lots of $14,400.00.

The Secretary of State and the Executive Director of the Capitol Center Planning Committee recommended expenditure of Trustees' funds in the amount of $14,000.00 for purchase of the two lots subject to the easement which would accrue to the state upon acquisition of Lot 48.

On motion made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized expenditure of $14,000.00 from the Internal Improvement Fund for purchase of Lots 49 and 50 for the Capitol Center.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, the Trustees approved Murphy Act Report No. 953 and regular sale under provisions of Chapter 18296, Acts of 1937, of land described as Lot 10, Block 16, Goldenrod Heights, in Seminole County, to Mary Lou Birdsong at the high bid of $80.00.

REFUND - Murphy Act. On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized refund of $10.00 to Frank R. Rotolante, applicant for release of state road right of way reservation contained in Dade County Murphy Act Deed No. 954, for the reason that the State Road Department did not recommend release of the reservation.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR

* * * * * * * * *

Tallahassee, Florida
May 6, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor, in the Capitol. The following members were present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

The minutes of the meeting of April 29, 1969, were approved.

MANATEE COUNTY - Bulkhead Line. The Staff, on receipt of information from the Governor's office and copy of a memorandum from the Attorney General, had held in abeyance processing of the Manatee County bulkhead line considered by the Trustees on April 29, 1969.

Governor Kirk suggested that the Trustees rescind the action taken last week until a report was available on backers of the development, and possibly by that time Manatee County could have reviewed and amended their bulkhead lines in accordance with the Interagency report, and the exact amount of land involved would be known.

Attorney General Faircloth made a motion that the action be rescinded, especially since the county had fixed the line only the day before which did not comply with the law requiring advertising for thirty days. He said there had been misunderstanding and what the Trustees did last week was more an expression of policy than approval of the line, which was different in some respects from the line the county had advertised and therefore was not legally and properly before the Trustees.

Reviewing the action, Secretary of State Tom Adams said the purpose of the motion had been to approve the modified line as recommended by the staff but to try to generate some positive action by the local board on all county bulkhead lines before the Trustees would consider any sale, dredge or fill permits. There had been much work by the staff and consultation with the local representatives, also an amount of the proceeds from any future sale of land or fill material would go back into improvement of fisheries in the area, but the Trustees would expect that the sufficiency of the project would be proved before any further consideration.

Mr. Conner said that last week he thought the revised segment was in keeping with requirements, and he had voted not on the project but on the merits of the line and the staff recommendation, to expedite the action of the County Commission. Other members indicated that they wanted to work with the county, to see projects get ahead. Mr. Dickinson said that if the bulkhead line was different from the one advertised, however, there should be a new advertisement.

The Director explained that Manatee County had filed proof of the public hearing and contended that they had complied with the law, that at the hearing they left a small segment open on which agreement was reached last week - which in effect preserved the waterway. It had been a difficult situation, he said, and he thought that the assignment of legal counsel to work fulltime in the Trustees' office in the future would be very helpful.

The motion by the Attorney General to rescind the Trustees' action of last week on the Manatee County bulkhead line was seconded by Mr. Williams and unanimously adopted.

LEE COUNTY - Bulkhead line, Section 253.122 Florida Statutes. The Board of County Commissioners of Lee County by resolution adopted on May 22, 1968, located and fixed a bulkhead line in Pine Island Sound on Captiva Island in Sections 22 and 23, Township 45 South, Range 31 East, Lee County. All required exhibits were furnished. The several objections at the local hearing were due to conflicting information on the estimated mean high tide line.

Lee County, in response to letter of September 17, 1968, from the staff, confirmed this and other bulkhead lines which, in their opinion, fall within the intent of the Interagency Advisory Committee's recommendations. The bulkhead line followed closely the approximate line of mean high water. Although it included some grassy areas there was no objection in the Florida Board of Conservation report which stated that it was an excellent bulkhead line, demonstrating that with cooperation and understanding, the best interests of conservation and development might be served.

Since the bulkhead line lay on the western edge of the proposed aquatic preserve for Pine Island Sound, it was recommended that fill material, if required, should be obtained from areas approved by the Florida Board of Conservation.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line adopted by Lee County with the requirement that fill material be obtained from areas approved by the Board of Conservation.

ST. LUCIE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes The Board of County Commissioners of St. Lucie County by resolution No. 69-17 adopted March 6, 1969, fixed a bulkhead line adjacent to property of Dewey Wilcox and B. G. Jones, III, in Section 16, Township 34 South, Range 40 East, St. Lucie County, located in the Indian River. All required exhibits were furnished and there were no objections at the local hearing.

The line which was located along the mean high water line was in agreement with recommendations of the Interagency Committee. Biological report from Florida Board of Conservation indicated that the proposed bulkhead line approximated the line of mean high water for the easternmost perimeter of the subject area, did not encompass valuable vegetated bottoms, and except for the probable destruction of interior patches of red mangrove it should not portend adverse effects on marine life.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the Trustees approve the bulkhead line adopted by St. Lucie County on March 6, 1969.

LEE COUNTY - File No. 2166-36-253.12. Application was made by Duane Hall on behalf of Vaughn L. Hefner to purchase a 0.10 acre parcel of sovereignty land in Matlacha Pass abutting fractional Section 24, Township 44 South, Range 22 East, Porpoise Island, landward of the established bulkhead line in Lee County, for the purpose of preserving a row of coconut trees threatened by erosion. Applicant offered $100.00 for the parcel.

Florida Board of Conservation biological report was not adverse to sale or proposed construction of a physical bulkhead to preserve planted coconut trees.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized advertisement of the parcel for objections only.

OKALOOSA COUNTY - Artificial Reef Permit. The Greater Fort Walton Beach Chamber of Commerce applied for a permit for the construction of four artificial reefs in Choctawhatchee Bay at the following sites:

1. Near Destin at 30°24'31" N Latitude, 86°30'44" W Longitude
2. Near Eglin AFB Main Base at 30°27'07" N Latitude, 86°30'00" W Longitude
3. Near Piney Point and Indian Bayou at 30°25'07" N Latitude, 86°26'30" W Longitude
4. Near White Point and the mouth of Pippin Lake at 30°26'52" N Latitude and 86°24'40" W Longitude

with a minimum clearance varying from 11 to 18 feet mean low water, and marked with buoys.

The report from Florida Board of Conservation indicated that the reefs should be an attraction for fish and other marine life.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of permit for $50 charge.

COLLIER COUNTY - Dredge Permit, Section 253.123, File No. 256
Arthur R. Finney, Jr., of Marco Island Development Corporation, applied for permit to install a 16-inch water main across the Marco River easterly of the bridge on State Road 951-B in Section 4, Township 52 South, Range 26 East, Collier County.

The report from the Florida Board of Conservation indicated that the utility crossing project would not materially or adversely affect marine resources of the area.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized issuance of the permit.

DADE COUNTY - Dredge and Fill Permit, Section 253.123 F. S.;
and Dock Permit, Section 253.03 F. S.
F. D. R. Park of the Public Works Department, Metropolitan Dade County, applied for a permit for construction of a pier and removal of 35,000 cubic yards of material from an existing boat basin in Matheson Hammock Marina in Section 5, Township 55 South, Range 41 East, Dade County. Material removed would be placed on applicant's upland. All exhibits were furnished, including $100.00 processing fee for the dock.

Staff recommended approval and waiver of requirement of a biological study as provided under Section 253.123 Florida Statutes, since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of the dock permit for $100 charge, and the dredge and fill permit.

MARTIN COUNTY - Dredge Navigation Channel, Section 253.123, F. S.
Application was made by William R. Dean, Trustee, for permit to construct a navigation channel 75 feet wide, 5 feet deep and 500 feet long. Applicant tendered check for $59 as payment for the 590 cubic yards of material from the overcut.

Biological report from Florida Board of Conservation indicated that the channel dimensions originally proposed (100x6x600) would have adverse effects on marine life, and a subsequent report indicated that reducing the channel width from 100 to 75 feet would reduce the damage to productive bottoms.

The Board of County Commissioners of Martin County on April 15, 1969, took formal action to approve the 75-ft. wide by 5-ft. deep access channel to serve as the northernmost boat access channel from the west shore of Hutchinson Island to the Indian River channel.

Motion was made by Mr, Conner, seconded by Mr. Adams and adopted unanimously, that the Trustees authorize issuance of the dredging permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 F. S.
The Town of Belleair Beach applied for a dredge permit for the installation of a 8-inch sanitary sewer line across the 22nd Street Waterway and Harrison Avenue Waterway in Belleair Beach, in Township 29 South, Range 15 East, Pinellas County.

Staff recommended approval and waiver of the requirement for biological survey as provided by Section 253.123(3)(a) Florida Statutes, since the public need would be served.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, the Trustees approved issuance of the permit as requested.

BREVARD COUNTY - File No. 2196-05-253.03, Dedication and Fill Permit. The City of Titusville by Resolution No. 38-1967 adopted August 22, 1967, requested dedication of a 0.78 acre parcel of sovereignty land in the Indian River abutting fractional Section 22, Township 22 South, Range 35 East, for bayward extension of Olmstead Drive 60 feet wide by approximately 560 feet long, from mean high water line to the established bulkhead line in Titusville, Brevard County.

In meeting on April 22, 1969, the City Council of Titusville issued a fill permit to the Director of Public Works of the city to fill the extension of the street. Fill material would be hauled to the site. Biological report of October 4, 1967, was adverse to dredging fill material.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees dedicated the 0.78 acre parcel to the City of Titusville and approved the fill permit.

DADE COUNTY - Easement Nos. 24935 and 24936.
On March 25, 1969, pursuant to request of the District Engineer, Jacksonville District, U. S. Corps of Engineers, dated March 3, 1969, the Trustees granted channel right of way and 7 spoil areas within the proposed Biscayne National Monument in Dade County. The instruments had been executed by the Trustees.

By telegram dated April 28, 1969, the District Engineer withdrew his request for the easements. Staff recommended that the Trustees rescind their approval and authorize the executed instruments voided.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the action of March 25, 1969, with respect to channel right of way and easements be rescinded, and the staff was authorized to void the executed instruments.

DADE COUNTY - Temporary Easement No. 2334. The Board of County Commissioners of Dade County by Resolution No. R-484-69 adopted on April 14, 1969, requested extension of the time limit of Temporary Easement No. 2334 (expiring July 1, 1970) for borrow area and pipeline access in connection with the Beach Erosion Control Project at Virginia Key and Key Biscayne. Extension requested would correspond with the duration of federal participation.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize extension of the easement to July 1, 1978.

NASSAU COUNTY - Permanent Spoil Easement, File 2198-45-253.03. Ocean Highway and Port Authority, in care of Herbert M. Fishler, attorney, made application for a 46-acre spoil area site lying easterly of the north end of Amelia Island in the Atlantic Ocean

for the navigation project for Fernandina Harbor. The Authority by Resolution No. 67-1 adopted on December 29, 1967, assumed responsibility for acquiring easements required by the United States.

Board of Conservation biologist reported that no significant adverse effects would occur from spoiling in the proposed site.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, that the requested easement be issued.

PASCO COUNTY - Channel Right of Way and Spoil Easements,
Pithlachascotee River Project
File No. 2197-51-253.03

The Cities of Port Richey and New Port Richey, together with Pasco County, are local sponsors for the Pithlachascotee River Channel Project. Charles G. Edwards, City Attorney of Port Richey, submitted request for channel rights of way, five perpetual spoil easements, and one temporary spoil easement which were required by May 13, 1969, or the opening bid date would be cancelled.

The biological report dated October 8, 1968, indicated that channel alignment and spoil sites were designated by a coordinated team of biologists, U. S. Corps of Engineers representatives, and local interests. Damage to marine biological resources would be minimal.

Motion was made by Mr. Conner, seconded by Mr. Adams and adopted unanimously, that the application for channel rights of way and spoil area easements be granted.

BAY COUNTY - Mariculture Lease. On April 22, 1968, the Board authorized a lease to Akima International, Inc., for shrimp cultivation of 8 acres in Little Goose Bayou. On August 13, 1968, the Trustees authorized the lease to include an additional contiguous 20 acres. Receipt of legal description and on-the-ground survey of the leased area indicated that the acreage involved was actually 48.7 acres, and authority was requested to amend the lease.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the lease be amended to cover the additional 20.7 acres.

SANTA ROSA COUNTY - Oil and Gas Lease. Young, Anderson and Beall, holders of Oil and Gas Drilling Lease No. 2338 dated July 9, 1968, covering 47,932 acres of submerged land in East Bay, Blackwater Bay and Escambia Bay, advised the Trustees' office of their intention to commence drilling a test well as required by the lease terms within the first year of the lease. The lease required that a well be drilled to a depth of not less than 6,000 feet or 200 feet below the top of the Lower Tuscaloosa formation, which ever is the deeper.

The lessees proposed to drill the well on a location in Section 14, Township 1 South, Range 28 West, Santa Rosa County, and had filed an assignment of overriding royalty of 1/8 as required by the lease in a pooling situation to compensate the Trustees insofar as royalty is concerned as though the entire forty-acre tract was within the boundaries of the submerged land in the lease. Sections 6 and 7, Township 2 South, Range 27 West, were assigned to the well location as required by the lease.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved the report and test well drilling.

MARTIN COUNTY - Land Exchange. On January 28, 1969, the Trustees authorized exchange of 360 acres of Jonathan Dickinson State Park property for 857.5 acres of land held by the estate of the late Vince "Trapper" Nelson. A questionable provision in the Nelson will reserving to the heirs one-half of the oil and mineral rights in the Nelson property created a problem, although all known heirs had quitclaimed any interest they might have in the oil and mineral rights.

Mr. Dickinson commented on the beauty of the area and the importance of getting any possibility of clouding the title cleared up in favor of the State of Florida.

In order that the exchange transaction would not be jeopardized because of a legal technicality, the Trustees approved the following recommendations, subject to a final determination of legality being made by the Attorney General:

(a) The State of Florida will provide an appraisal by a qualified independent appraiser of the value of the mineral rights to be withheld by the Nelson Estate;

(b) The Nelson Estate will agree to place in escrow with the Trustees of the Internal Improvement Fund an amount of money equal to the appraised value of the outstanding mineral rights;

(c) The Nelson Estate will agree to pursue through all available legal means a course of action leading to the invalidation of the questionable reservation of mineral rights;

(d) Assuming success in (c) above, the Nelson Estate will convey to the State of Florida the remaining one-half interest in the oil and mineral rights without further cost, and the Trustees will return the escrow deposit to the Estate.

LEE COUNTY - J. N. "Ding" Darling National Wildlife Refuge. Deferred on April 8, 1969, pending receipt of an expression from Lee County, and presented for consideration on this date was a request of February 24, 1969, from the Bureau of Sport Fisheries and Wildlife, United States Fish and Wildlife Service, Department of the Interior, for approval by the Trustees of the federal plan to expand the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island, Lee County by approximately 1,200 acres. It was tentatively planned to utilize "Duck Stamp" funds in connection with the acquisitions pursuant to authority of the Migratory Bird Conservation Act.

By resolution adopted on April 2, 1969, the Lee County Board of County Commissioners approved the Bureau's plan to acquire additional lands for inclusion in the Refuge.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees adopt the following resolution:

RESOLUTION

WHEREAS, the Governor and the Cabinet of the State of Florida, as and constituting the Trustees of the Internal Improvement Fund, fully share the desire of their conservation-minded fellow citizens to preserve the unique and invaluable flora and fauna of the State; and

WHEREAS, after many months of study and effort by citizens from all walks of life, there has been established the J. N. "Ding" Darling National Wildlife Refuge on Sanibel Island, in Lee County, Florida; and

WHEREAS, to implement acquisition of such additional lands and to conform with the requirements of the Migratory Bird Conservation Act, approval of the Trustees is necessary; Therefore be it

RESOLVED by the Governor and Cabinet of the State of Florida,

1. That the Trustees of the Internal Improvement Fund of the State of Florida support the concept of adequately protecting established wildlife refuges from harmful encroachment;

2. That specifically, the Trustees of the Internal Improvement Fund of the State of Florida desire to protect the J. N. "Ding" Darling National Wildlife Refuge from harmful encroachment;

3. That the Trustees of the Internal Improvement Fund of the State of Florida direct their staff to cooperate in any proper manner in assisting the Bureau of Sport Fisheries and Wildlife in carrying out the Concept Plan;

4. That the Trustees of the Internal Improvement Fund of the State of Florida condition this action upon the provision that private interests affected by the acquisition and Concept Plan receive proper compensation for their properties.

IN WITNESS WHEREOF, we place our hands and seals this 6th day of May, A.D. 1969.

CLAUDE R. KIRK (SEAL)
Governor
TOM ADAMS (SEAL)
Secretary of State
EARL FAIRCLOTH (SEAL)
Attorney General
FRED O. DICKINSON, JR. (SEAL)
Comptroller
BROWARD WILLIAMS (SEAL)
Treasurer
FLOYD T. CHRISTIAN (SEAL)
Commissioner of Education
DOYLE CONNER (SEAL)
Commissioner of Agriculture

TRUSTEES' FUNDS - Mr. Robert C. Parker, former director of the Trustees of the Internal Improvement Fund, during the period November 1, 1964, to December 31, 1967, accrued 155 hours annual leave under the authority of annual leave regulations approved by

the Trustees of the Internal Improvement Fund for Trustees' employees. Mr. Parker had requested payment for the accrued leave amounting to $1,315.95. Coordination with the director of the Fiscal and Audit Section, office of the Comptroller of the State of Florida, indicated that Mr. Parker was entitled to the payment provided it was approved by the Trustees.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted unanimously, that the Trustees approve payment and authorize issuance of warrant in favor of Mr. Parker for the said accrued leave.

TRUSTEES' FUNDS - Capitol Center Property Acquisition, Leon County. Mrs. Adelaide McPeak of Tallahassee, Florida, offered to convey Lot 55, Capital Place, DB Q, page 586/87, for a consideration of $12,900.00. Said property consisted of 43 feet facing on Blount Street and extending back a distance of 120 feet.

Appraisal made by Harry C. Kirby, Appraiser, Tallahassee, Florida, dated February 19, 1969, appraised the lot and house thereon at $16,200.00. The Executive Director of the Capitol Center Planning Committee recommended that Trustees' funds in the amount of $12,900.00 be expended to purchase Lot 55.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees authorized expenditure of funds in the amount of $12,900.00 to purchase the property for Capitol Center purposes.

Commissioner of Agriculture Doyle Conner said that legislation was being introduced, proposed and discussed and he asked if the Director was keeping up with any legislation affecting the Trustees. He said it was a priority matter.

The Director said he was, to the best of his ability, with the many responsibilities and the limited staff he had.

SUBJECTS UNDER CHAPTER 18296

JEFFERSON COUNTY - Murphy Act Land. Application was submitted by the Clerk of the Circuit Court of Jefferson County in accordance with the Guide of Procedure for sale of land under Chapter 28317, Acts of 1953, from Angus Laird on behalf of himself, Robert G. Carter and Edward Dean Wyke, for conveyance under the provisions of Section 192.381 Florida Statutes, commonly known as the "Hardship Act", of the SW¼ of SE¼ of Section 24, Township 1 North, Range 3 East, Jefferson County, which was certified under tax sale certificate No. 27 of July 7, 1930.

Staff recommended conveyance without advertisement and public sale pursuant to the provisions of the statutes for the amount offered, i.e. $400.00.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized conveyance of the land to the applicants for the amount offered, under the provisions of Section 192.381.

BREVARD COUNTY - Title Security Company of Vero Beach, Florida, on behalf of Shell Oil Company, a Delaware Corporation, requested that the Trustees waive the usual regulations as to size limitation for the release of the oil and mineral rights reserved in Brevard County Murphy Act Deed No. 1398 dated August 30, 1948, for approximately 12 acres of land described as Part of Government Lot 1, Section 36, Township 24 South, Range 36 East, for the land to be used as a site for construction of a shopping center.

Staff requested waiver of Item 3 of Trustees' regulations pertaining to Release of Oil and Mineral Reservations in Murphy Act Land with respect to size of lot. Also, staff requested approval of release of oil and mineral reservations for a consideration of $240.00. $20.00 per acre or fractional part thereof was determined to be the value of the Trustees' interest in the oil and mineral reservations in that general area.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees waived the regulation and approved release of the reservations for $240.00.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
May 13, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor, in the Capitol. The following members were present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State (Part Time)
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

The minutes of the meeting of May 6, 1969, were approved.

PUTNAM COUNTY - File No. 2185-54-253.03. For the purpose of clearing title to sovereignty lake bottom lands in Lake Swan, Carl C. Carnes applied to purchase 3 parcels of sovereignty land lying above the ordinary high water line of the lake, containing 3.86 acres abutting Government Lot 2, Section 9, Township 9 South, Range 23 East, Putnam County. The applicant had illegally filled the subject lands and offered to pay the value as determined by the staff to be $300.00 per acre. Also, as part of the consideration, applicant would execute a disclaimer to certain other lands to which he could be construed as a riparian upland owner.

The application was placed on the agenda for consideration of advertisement for objections only. Mr. Williams had requested its removal from the agenda for study and preparation by the staff of recommendations for a policy for this case and probably many others involving unauthorized filling in state-owned lakes.

Mr. Christian felt that there should be no advertisement or sale, that this was an overfill and should be confiscated and used for public purposes. Mr. Faircloth said he agreed and the Board's decision in this case was meaningful.

Present on this date was a number of objectors to the applicant's filling operations and application to purchase, including David M. Anderson, an attorney representing some 175 property owners, he said, who had petitioned the Cabinet to deny the application; Senator Ralph Turlington, Representative William C. Andrews, Senator Robert Saunders, Lyman E. Rogers of the Governor's Natural Resources Council, and others. The Trustees were asked to make a full study of the Swan Lake situation - the Carnes fill as well as other apparent unauthorized fills - and making an example that would be a precedent, take action that would protect property owners and the State of Florida with respect not only to Lake Swan but hundreds of lakes which are affected by development projects. Mr. Rogers also reported pollution of Lake Swan from a number of septic tanks.

Director Hodges explained that the 1949 high water mark has been determined, since that was the year that the lake was artificially lowered. He pointed out on a map several other lots with houses on them, filled by someone else. The staff was checking the matter. Mr. Conner said if it was lakeward allegedly on state land, the Trustees' problem would include treating every one alike.

Mr. Carl C. Carnes, the applicant, said he had been in business in Jacksonville 34 years, in 1965 looked over a canal project in process for 3 or 4 years and decided to buy the property and finish the job, his title was approved by an attorney, and he had worked about 2 years digging the canal from a basin out to Swan Lake, when he was stopped by an inspector of the Florida Game and Fresh Water Fish Commission and told he was filling state-owned property (with material deposited from the canal digging operation). He checked with the Trustees' office which made an inspection and issued a permit. After further work on the canal he was told in August 1968 to stop, and he said he had apparently pumped dirt on land that belonged to the state and tried to work out an application to buy the part he had illegally filled - which he said was not lakefront land but was between the canal and the houses out beyond the meander line that would have the same problem that he now had. Mr. Carnes said he made no fill in the lake but on an area that was above water, and the main object was to get rid of the dirt that came out of the canal.

Mr. Christian recalled a precedent of an overfill at Treasure Island, confiscation by the state, other illegal fills that had been removed or advertised for sale. He did not think the Trustees should permit sale until it was thoroughly investigated, that the Board felt that no overfill should be sold. Mr. Adams said there was no authority to sell lake bottoms.

Mr. Adams said the Board had taken an increasingly firm attitude on fills and trepass, and must be diligent when the rights of the sovereign state were infringed upon. It appeared that a great deal of study was required as to a number of lakes where trespass had occurred, that where lakes were lowered the upland owners extended to the newly established high water line which the state had allowed in some cases. Mr. Adams said there was a matter of equity. Governor Kirk said there were courts to resolve matters of equity.

Mr. Hodges said that Assistant Attorney General Slepin had worked closely with the staff, and he had intended to ask the Cabinet Sub-committee of which the Attorney General was Chairman to consider the widespread problem involving lakes.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the application be denied and the staff and the Attorney General make a full investigation and a report and policy recommendation to the Board in two weeks on the Carnes matter and all of Swan Lake.

DADE COUNTY - Biscayne National Monument
The Trustees considered a proposed resolution that reconfirmed and expressed continued support for establishment of the Biscayne National Monument.

Also considered was ENG Form 42 "Offer to Sell Real Property" submitted by the District Engineer, Jacksonville District, U. S. Corps of Engineers, for the purpose of complying with Public Law 90-606 wherein it provides that the"...Secretary shall not declare the Biscayne National Monument established until the State has transferred or agreed to transfer to the United States its right, title and interest in and to its lands within the boundaries of said national monument." Upon execution of said form the way would be cleared for the United States to proceed with land acquisition within the Monument.

The Director said there was a legal problem since under Chapter 253 submerged lands were required to be sold to the upland owner, and the statutory reservation of oil and mineral could be taken care of by a condemnation procedure in which the State would stipulate the value of $1.00.

The Trustees reviewed previous endorsement of the Biscayne National Monument and their resolution of July 9, 1968, with much discussion being given to the provision in said resolution that state lands would be donated only after appropriation of federal funds for acquisition of privately-owned lands in the Monument area, providing a one-year limit for the commitment of the Trustees. Mr. Adams said the resolution called for just compensation to the owners, and he noted that straight condemnation proceedings were proposed rather than the regular condemnation method. Mr. Williams said the people should be protected by a reasonable time limit for the acquisitions.

Mr. Roy Markon, Chief of the Acquisition Division in the Office of the Chief of Engineers in Washington, D. C. explained the position of the Federal Government, how they proposed to acquire the land from private

owners, and said it would be about a five-year program depending on how rapidly Congress makes money available. He felt that most properties might be obtained through negotiation with the owners and only about fifteen per cent by the condemnation method, judging by the previous experience of the Corps of Engineers acting as acquisition agent for the National Park Service of the Department of the Interior.

With Mr. Markon were Mr. George Fryer, Chief of the Real Estate Division of the Jacksonville District and Mr. Jack Rafferty, Superintendent of the Everglades National Park. The latter said orderly development of Biscayne National Monument would proceed as acquisition goes forward.

Mr. Christian asked how much of the authorized 24 million dollars had been appropriated, and Mr. Markon explained there had been no appropriation but an authorization had been passed by the Congress, the Advance Contract Authority, and contracts with the land owners became legal claims against the United States, a definite commitment on the part of Congress. Mr. Williams said it should be expedited, that the people should not have to wait five years. There was considerable further discussion of the action by Congress, the 2½ million dollars which might be released soon, and Mr. Markon said a project of this size took time for appraising the land, negotiating with owners, et cetera.

Governor Kirk pointed out there had been endorsement of the Monument by the Dade County Commission, Metro-Dade Commission, the United States Congress, and the Cabinet was on record several times in approval of the Monument. He noted that 2½ million dollars was now available as a direct claim to pay for acquired lands.

Mr. Adams said the federal appropriation process was different from that of the state but he thought that part of the Trustees' resolution of June 9, 1968 had been met. As to the matter of just compensation for the land owners, there was to be a year's time to accomplish that. Mr. Adams said what was before the Board today was a resolution whereby the Trustees authorized for $1 the condemnation proceedings so the federal government could take the state lands without the mineral reservations, then Congress could finally authorize the monument and proceed in the light of a $24,000,000 authorization to appropriate money to buy the private lands, assuring just compensation.

On motion by Mr. Adams, seconded by Mr. Conner and adopted, the rules were waived to allow presentation by Mr. Hardy Matheson, on behalf of the Board of County Commissioners of Dade County, of Resolution R-280-69 requesting the Trustees to reserve six navigation channels extending from the mainland to the Intracoastal Waterway. Mr. Rafferty said they would prefer this request be deferred, that any reasonable proposals for access channels would be considered later. Mr. Matheson then described the location of the needed channels and urged that they be reserved at this time. It was agreed that the request should be approved before action on the monument as listed on the agenda.

Without objection, Governor Kirk said the Trustees approved the request of the Board of County Commissioners for reservation of six navigation channels.

Objectors to the resolution of the Trustees and to the Biscayne National Monument included the following:

> Ralph Fossey, Mayor of the municipality of Islandia, who read a petition asking the Trustees to maintain the spirit of their July 9, 1968 resolution conditioning conveyance of state land on a time limit for compensation of private owners.

William C. Martin, Special Counsel for the City of Islandia, Islandia Chamber of Commerce and most of the 800 property owners, who said the federal government had not complied with the Trustees' resolution of July 9, 1968, that the transfer of state land was not necessary as the Trustees had already agreed to transfer, that there was no appropriation and Islandia was not even on a priority list of the Department of the Interior for acquisition, that the state would be conveying title to land worth around 73 million dollars, and that private owners should now be given their chance to develop Islandia.

Mr. Adams said he fully appreciated the point of view of the presentations and those owners represented. But he saw no impropriety in the resolution being considered by the Trustees today which was a reconfirmation of support expressed on several other occasions, and he must assume the federal government was acting in good faith.

Mr. Adams made a motion, seconded by Mr. Faircloth, that the Trustees approve item 24 on the agenda.

Mr. Christian proposed an amendment, the adding of a provision to the resolution that sufficient monies shall be appropriated, suggesting 5 million dollars, and expended by the federal government for the purpose of acquiring at least one-fifth of all the non-federal land within the boundaries of the monument prior to the end of the current session of the Congress. Mr. Dickinson seconded the amendment, stating that the Trustees represented the people that owned Islandia and should protect them, that they should not be held in abeyance for years, that none of their land had been acquired yet and the 2½ million dollars would expire June 30th.

Mr. Christian's amendment was withdrawn upon Mr. Conner making a suggestion that the Attorney General draft another resolution to accomplish what had been brought up during the discussion.

A number of other objectors asked to be heard, including Charles Lockhart, James M. Reid, Mrs. Elizabeth Bettner, Abner Sweeting, Mrs. Eunice Anderson, Carl Crivello, Art Green and Todd Swalm. Reasons given for opposition were that development of the private land by the owners would be a great economic benefit to the county and would bring in much tax revenue, that the valuable state land should not be given away, that the Biscayne National Monument was not needed in the area which had many parks and conservation lands already set aside, and that during the nearly one year's time since the Trustees July 9, 1968, resolution, owners had not been approached for the purpose of purchase negotiation and the Trustees had a duty to see that the property rights are not abrogated.

Brief statements on behalf of Biscayne National Monument were made by J. F. Redford of Dade County Chapter of Izaak Walton League, Joe Browder of National Audubon Society and William M. Partington of Florida Audubon Society.

After further discussion of provisions that should be included in the resolution - adequate funding by Congress, a time limit requested by Mr. Williams and Mr. Dickinson, and the provision to be included in the ENG Form 42 reserving the six access channels requested by Dade County - Mr. Christian proposed a substitute motion.

The motion made by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, was that items "a" and "b" of number "24" on the agenda be redrafted by the Attorney General to incorporate provisions that

there should be an adequate appropriation in this year by the Congress and that the six access channels requested in the Dade County resolution be approved.

COLLIER COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. Staff recommended approval of a bulkhead line adopted by the Board of County Commissioners of Collier County on March 5, 1968, located generally along the mean high water line in Johnson Bay in Section 24, Township 51 South, Range 25 East, Collier County. All required exhibits were furnished and there were no objections at the local hearing.

Florida Board of Conservation biological survey report, covering a previously approved bulkhead line as well as this segment, indicated that the bulkhead line was a compromise between maximum development and no disturbance, that there would be adverse effects from the dredging and fill, but there had been definite effort by the applicants and Tri-County Engineering to protect certain productive areas from dredging and filling.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, that the bulkhead line as fixed by the Board of County Commissioners of Collier County be approved.

DADE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. Staff recommended approval of a bulkhead line fixed by the City Council of the City of Miami Beach by Resolution No. 12648 dated February 25, 1969, located in Indian Creek in Section 11, Township 53 South, Range 42 East, Dade County. All required exhibits were submitted. There were several objections at the local hearing, mainly to the filling of submerged lands.

The biological survey report from Florida Board of Conservation indicated that the submerged lands were not vegetated, were not feeding or nursery grounds, and that proposed bulkhead line and subsequent filling should not have serious adverse effects on marine life of the area.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, that the bulkhead line adopted by the City of Miami Beach be approved.

PALM BEACH COUNTY - File No. 1991-50-253.12. Brockway, Owen and Anderson Engineers, Inc., on behalf of DiVosta Rentals, Inc., applied for a 0.614 acre parcel of sovereignty land in Lake Worth abutting Section 27, Township 43 South, Range 43 East, in the City of West Palm Beach, Palm Beach County, landward of the established bulkhead line.

The parcel was advertised for objections and one was received from the First Church of Christ, Scientist. Staff recommended that the objection be overruled and sale confirmed for the appraised price of $18,221.00 for the parcel.

On motion by Mr. Christian, duly adopted, the Trustees overruled the objection and confirmed sale to the applicant as recommended by the staff.

PALM BEACH COUNTY - Refund. File No. 1991-50-253.129
Brockway, Owen and Anderson Engineers, Inc., on behalf of DiVosta Rentals, Inc., by letter dated March 30, 1968, withdrew an application for a disclaimer for which $10.00 had been tendered to pay for issuance of the instrument.

Staff requested authority to refund the amount paid.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted unanimously, that the Trustees authorize refund of the $10.00 processing fee to Brockway, Owen and Anderson Engineers, Inc.

DADE COUNTY - File No. 2152-13-253.12.
S. Lee Crouch on behalf of Robert Gould applied to purchase a parcel of sovereignty land in Dumfoundling Bay abutting Section 2, Township 52 South, Range 42 East, Dade County, containing 0.545 acre, more or less, valued at $1,000.00 per acre, for a total offer of $545.00.

The Board of Conservation biological survey report was adverse to development, showing that the proposed dredge and fill project would destroy valuable marine habitat. On January 28,1969, the Trustees had authorized issuance of a dredge permit to excavate 425,000 cubic yards of material from Dumfoundling Bay to Mr. Gould, and in view of the extensive dredging proposed it appeared that the proposed sale and development should not have any significant effect upon biological resources. Therefore,staff recommended advertisement.

Motion was made by Mr. Conner, seconded by Mr. Christian and adopted without objection, that the parcel of land be advertised for objections only.

LAKE COUNTY - Dredge Permit, Section 253.03 Florida Statutes.
Tom B. Champion applied for a permit to remove 60 cubic yards of material from along the front of his property on Lake Gertrude in Section 30, Township 19 South, Range 27 East, Lake County, and tendered check for $50 as payment for the material to be placed on his upland property.

On motion made by Mr. Christian, duly adopted, the Trustees authorized issuance of the permit.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Seaboard Coast Line Railroad Company applied for permit to perform maintenance dredging in an existing channel in the St. Johns River at their marine terminal at Tallyrand Dock and Terminal area in Township 2 South, Range 27 East, approximately 2,500 feet north of the John E. Matthews Bridge.

The authorized channel depth was -31 feet, the present depth -25 feet, and the material removed from maintenance dredging would be deposited on applicant's upland property.

The Florida Board of Conservation biological survey report indicated that the section of the St. Johns River was very turbid and polluted, the bottom below the photic zone for growth of marine grasses, and the proposed dredging would have no adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized the dredge permit for maintenance dredging.

MARTIN COUNTY - Dredge Permit, To Improve Navigation
Section 253.123 Florida Statutes

Evans Crary, Jr., on behalf of Perry Boswell, Jr., applied for a permit to remove silt and fill material from four existing waterway entrances in the Hanson Grant in Township 38 South, Range 41 East, Martin County, to be placed on upland property.

The Florida Board of Conservation biological survey report indicated that the project should not have significant adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized the dredge permit to improve navigation.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Teleprompter Corporation, by Gregg Smith, General Manager of Teleprompter of Florida, applied for permit to install a submarine TV cable crossing the Intracoastal Waterway in Lake Worth in Sections 27 and 28, Township 42 South, Range 43 East, Palm Beach County.

The Florida Board of Conservation biological report indicated no adverse effects on marine life from the proposed installation.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized the dredge permit.

PUTNAM COUNTY - Dredge Permit, Section 253.123 Florida Statutes. E. G. Cremer applied for permit to connect a canal constructed across his property with Stokes Creek in Section 4, Township 11 South, Range 26 East. The material removed would be placed on upland property.

The Florida Board of Conservation biological survey report indicated that there would be no adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of the dredge permit.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes; Spoil Area Relocation.

Walter H. Smith, Project Engineer for Escambia Chemical Company, requested relocation of spoil areas "A" and "B" previously approved, to the westerly side of the proposed channel to eliminate possible destruction of an outfall owned by American Cyanamid Company and located in the vicinity of the approved spoil areas.

On March 25, 1969, the Trustees approved issuance of a permit for a barge channel to connect applicant's upland plant facility to the Intracoastal Waterway in the upper part of Escambia Bay. Said

permit authorized placement of material in two spoil disposal areas on the easterly side of the barge channel.

The Florida Board of Conservation Survey and Management Division had no objection to the relocation, and staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved issuance of the dredge permit to allow spoil area relocation.

ST. LUCIE COUNTY - Dredge and Dock Permit, Marine Railway.

Seeley Fish Company applied for permit to construct a commercial marine railway and a 30-foot by 25-foot channel to connect with the Indian River in Section 33, Township 34 South, Range 40 East, St. Lucie County. The material removed would be placed on applicant's upland, and all required exhibits had been furnished including $100 dock processing fee.

Florida Board of Conservation biological survey report indicated that the land was sandy and unvegetated, and the small amount of dredging should have no significant adverse effects on marine life.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, that dredge and dock permits be issued to Seeley Fish Company.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued a dock permit, subject to Trustees' approval, to Placido Corporation - Placido Apartments to construct a commercial dock in Placido Bayou in Section 6, Township 31 South, Range 17 East, Pinellas County. All required exhibits, including $100.00 processing fee, were submitted.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of commercial state dock permit.

LAKE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. H. G. Morse applied for a permit, on behalf of Richard E. Pennington, to dredge in order to connect a canal from his property to Lake Yale in Section 13, Township 18 South, Range 25 East, Lake County. Applicant tendered check for $50.00 as minimum payment for the material to be deposited on uplands.

Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to normal stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the dredge permit to improve navigation.

LEE COUNTY - Dredge Permit, Section 253.123, and
Fill Permit, Section 253.124 Florida Statutes.

Julian D. Clarkson, on behalf of J. C. Barnes, Jr., Trustee, requested approval of a fill permit issued by the City of Fort Myers on March 7, 1969. By virtue of Chapter 6932, Laws of Florida, Acts of 1915, the Caloosahatchee River bottoms within the city limits were granted to the City of Fort Myers. The Trustees had taken the position that permits issuing under the provisions of Section 253.123 and 253.124 Florida Statutes must be approved by the Trustees, and staff recommended approval of the fill permit issued by the City of Fort Myers, and issuance of a dredge permit.

Florida Board of Conservation biological survey report of September 6, 1968, was not adverse to dredging and filling in the subject area.

On motion by Mr. Christian, seconded by Mr. Williams, and adopted without objection, the Trustees approved the fill permit issued by the City of Fort Myers and authorized issuance of a dredge permit.

BREVARD COUNTY - Fill Permit, Section 253.124 Florida Statutes. North Brevard Parks and Recreation Commission requested approval of a fill permit issued by the City of Titusville on June 26, 1968, for filling sovereignty lands in the Indian River dedicated to the city for public purposes by Trustees Dedication No. 23535 dated November 20, 1963.

Board of Conservation biological survey report was adverse to dredging fill material from offshore. Accordingly, material will be obtained from an adjacent land owner's property. No dredging of sovereignty lands was contemplated.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, that the Trustees approve the fill permit issued by the City of Titusville.

INDIAN RIVER COUNTY - Dredge Permit, Section 253.123 Florida Statutes. DeForest Tackett, President, Tackett Construction, Inc., applied for permit to connect a canal constructed across applicant's property, with the Indian River in Section 19, Township 32 South, Range 40 East, Indian River County. Material removed would be placed on upland property.

Florida Board of Conservation biological survey report indicated that the present shore line was the remnant of what was once a border of red mangroves, between 5 and 10 feet in width. The area along the shore where the seedling red mangroves and dead roots occurred was part of the area to be dredged to permit the water to extend up to the seawall.

Staff recommended approval of the proposed project for that segment lying south of the cement sewer outfall.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees accepted the staff recommendation.

PALM BEACH COUNTY - Disclaimer, File No. 2193-50-253.129. George R. Brockway, on behalf of Florence Immormino, applies for a disclaimer for a 4.79 acre parcel of land lying between the

westerly meander line of Government Lot 2, Section 35, Township 44 South, Range 43 East, and the mean high water line of Lake Worth. Proper exhibits and documents had been submitted and staff requested authority to issue disclaimer for $100.00 processing fee.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the disclaimer for $100.00 charge.

DeSOTO COUNTY - Dedication of Road Right of Way.
The State Road Department requested dedication of 5.12 acres in Section 34, Township 38 South, Range 25 East, DeSoto County, for road right of way purposes in connection with State Road No. 31, Parcel 103.1, Section 04010-2902.

The land was under the jurisdiction of the Board of Commissioners of State Institutions, was part of the G. Pierce Wood Memorial Hospital property, and all parties involved had concurred in the dedication.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees granted the request of the State Road Department for dedication of the parcel for road right of way purposes.

OKALOOSA COUNTY - Permanent Spoil Area Easement.
The District Engineer, Mobile District, U. S. Army Corps of Engineers, applied for permanent spoil area easement in Santa Rosa Sound near Fort Walton Beach (Intracoastal Waterway between Fort Walton and Navarre Bridge) in Section 23, Township 2 South, Range 24 West, Okaloosa County.

Florida Board of Conservation biological survey report stated that no significant adverse effects would occur from spoiling in the proposed site.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of easement for the permanent spoil area requested by the Corps of Engineers.

LEON COUNTY - Easement for Power Line.
The City of Tallahassee requested dedication of a right of way 100 feet wide and approximately 400 feet long for electric transmission lines over and across the southeastern portion of the F. C. I. tract of land in Section 34, Township 1 North, Range 1 East, Leon County, owned by the Trustees for the benefit of the Department of Agriculture. Said Department had reviewed and concurred in the request.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized dedication of the power line easement requested by the City of Tallahassee.

BAY COUNTY - Mariculture Lease.
Akima International, Inc., applied for lease of approximately 60 acres of submerged land in Big and Little Johnson Bayous of West

Bay in Bay County, for the purpose of shrimp farming. Akima requested 3-year lease with option to renew for additional time, up to a total of 15 years, and offered annual rental of 50¢ per acre. Akima had the surrounding land under lease. It was owned by St. Joe Paper Company which had no objection to the proposed use of the land by Akima. Applicant was agreeable to the lease being made subject to the requirements of any valid legislation.

Florida Board of Conservation biological survey report indicated seagrass growth limited to the mouths of the bayous and open bay adjacent. Commercial netting of fish found in the bayous was concentrated at the bayou mouths and offshore grass flats. Required netting placed across the bayou mouths would interfere with ingress and egress by the public desiring use of the waters. Public use of the two bayous appeared to be limited to West Bay itself.

Staff recommended issuance of lease with the following conditions: that lease be for an initial period of 2 years at $1.00 per acre per year with option to renew for 3 one-year periods upon agreement by the Trustees, with terms and rentals for each future period to be agreed upon by the parties, and requirement of a surety bond of an adequate amount.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of a lease on the terms recommended by the staff.

TRUSTEES' FUNDS - In order to finance the Interagency Advisory Committee on Submerged Land Management, the Trustees at their meeting on June 4, 1968, made available funds in the amount of $21,500.00 to cover costs over a period of six months. From July 1, 1968, through December 31, 1968, only $466.05 was disbursed toward this commitment. Additional costs are now being incurred caused principally by the cost involving public hearings on the proposed aquatic preserves system.

Staff requested authority to maintain the remaining portion of the $21,500.00 commitment for use in connection with the Interagency Advisory Committee on Submerged Land Management through June 30, 1969.

On motion by Mr. Williams, duly adopted, the Trustees approved the request and authorized use of the committed funds through June 30, 1969.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

5-13-69

Tallahassee, Florida
May 20, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor, in the Capitol. The following members were present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

With reference to the minutes of the meeting of May 13, 1969, question was raised by the Attorney General who had been requested to prepare a revised resolution in accordance with the Trustees' action. Reference was made to the transcript and it was agreed that the minutes did conform to the action taken.

The minutes of the previous meeting were approved.

DADE COUNTY - Biscayne National Monument.
On May 13, 1969, the Trustees requested the Attorney General to redraft for further consideration on this date a resolution reconfirming support for establishment of Biscayne National Monument. Mr. Faircloth read from a resolution he had prepared before, and another resolution he had prepared after, receiving the minutes of May 13th meeting. It was agreed that the motion by Mr. Christian on May 13 called for an appropriation by Congress in this year but not a full appropriation for all the lands. Mr. Adams said the first resolution conformed to the sense of what was done last week. He moved its adoption and Mr. Faircloth seconded the motion. The resolution did not call for an appropriation this year. Mr.Christian said Congressman Fascell had assured him that there would be an appropriation this year of an adequate sum to carry the Monument forward. Mr. Christian asked that the record show that the intent of the resolution was that none of the state lands will be transferred to the Monument until the Federal Government makes an appropriation.

Governor Kirk said it was understood that the government would not appropriate enough money (at once) to take in all the lands that would ultimately be condemned, that this was the beginning of acquisition and a showing of good faith.

Mr. David Walters, on behalf of the City of Islandia, said he favored the Monument in principle, he felt that past actions of the Trustees indicated an intent to protect the land owners from federal red tape and delay, and he suggested that the instrument and resolution contain a time limit or action subject to renewals which would be an expression to Congress that the Trustees intend that they should proceed with dispatch.

Comptroller Dickinson agreed and said that for the reasons pointed out by Mr. Walters he was more inclined toward the Attorney

General's resolution that was attached to the memorandum, that to properly perform their duty toward the citizens the Trustees should indicate to the Federal Government that monies should be appropriated to properly compensate the private owners. There was discussion of the legal meaning of the wording of the resolution and the instrument providing for the condemnation proceedings (ENG FORM 42).

Mr. Adams reviewed the provisions in the resolution adopted July 9, 1968, and the discussion last week as to how the Congress makes appropriations. He said that the one dollar in the instrument was to initiate friendly condemnation of state land to enable conveyance without mineral reservations and had nothing to do with the appropriation to buy private land.

Mr. Walters agreed that the conditions had been met as to the Congressional authorization, but asked the Trustees to take the same precautionary measures in the appropriation area to ensure priority of attention by Congress, and have it in writing.

Governor Kirk expressed confidence that the Federal Government would deal fairly, as expressed last week by the Federal representatives.

Mr. J. F. Redford said it seems that some suggestions indicate distrust of the government, which had already said "five years" and "just compensation."

Mr. George Fryer, Chief of the Real Estate Division of the Jacksonville District, U. S. Corps of Engineers, advised that the agency opened an office in Miami last Saturday and now had signed contracts involving almost a million dollars under the advanced contract authority which they expected to pay off after the first of the fiscal year, but the Congressional Act required that the state enter into an agreement for conveyance of state lands before payment for any privately owned land.

Since the main question seemed to be the time for ultimate acquisition, Mr. Adams proposed adding a sentence to the resolution as follows: "It is understood that purchase of all lands privately owned to be effected or in process within five years."

Mr. Christian said the resolution expressed support for the Monument and now that he was told there would be an adequate appropriation it appeared owners should have no worry. There followed a discussion of the word "adequate."

Mr. Dickinson said he thought all were trying to achieve the same thing, that it was a matter of mechanics in the document and in view of the obvious concern by the Secretary of State who had tried to develop language agreeable to everyone, he suggested that the Attorney General and Mr. Walters, representing the private owners of Islandia, try to work out something to be considered next week. Governor Kirk disagreed, because with due respect to advice received from various parties he thought the Trustees were elected to administer and he had confidence in the Attorney General.

Commissioner of Agriculture Conner suggested a declaration of good faith to the Federal Government by declaring that the state would not convey to any private owners any submerged lands, therefore acquisition problems would not be increased. He would be concerned if the Federal Government had not done anything in five years or had acquired only part of the private land and limited the Monument to that part.

Attorney General Faircloth felt that all were aware of the difficulty in legal opinions about language, but he thought they had already done more than what Mr. Conner suggested. He said the Trustees were giving the United States an option and the issue was whether there should be strings attached - whether the state land would not be conveyed until everybody who owned land on Islandia had been justly compensated, or the other view that the Federal Government was saying that unless the state land was conveyed without reservation it would kill the Monument, or whether a time limitation should be imposed.

Secretary of State Adams made a motion that the resolution which the Attorney General originally presented to the members, with additions Mr. Adams had suggested today, be adopted. Mr. Faircloth said he would vote for the motion. Mr. Christian said he thought it expressed the intent of his motion providing they all understood that they were looking to Congress for an appropriation, if it was based on good intent on the part of the State of Florida and the Federal Government to carry forth the Monument, adequate appropriations (and not the $1 mentioned in the instrument) to be forthcoming to take care of private land.

On motion made by Mr. Adams and adopted, with Mr. Conner and Mr. Dickinson voting "No", the following resolution was adopted:

R E S O L U T I O N

RESOLVED BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, that the Trustees, consonant with the intent of their resolution of July 9, 1968, favoring the creation of and the donation of state lands to the proposed Biscayne National Monument, and in light of imminent condemnation of said state lands for the aforesaid purpose, do reaffirm their support of the Biscayne National Monument and do, accordingly, agree to the valuation of the said state lands at the sum of one dollar; provided that the Resolution No. 280-69 dated March 12, 1969, of the Dade County Commission requesting permission to establish six (6) navigation channels through the state sovereignty submerged lands embraced within this project is hereby approved, and said channel areas as described in said resolution are hereby reserved to Dade County or the State of Florida; provided further that the condemnation proceedings relative to the state owned lands to be condemned for the establishment of the Biscayne National Monument will not be instituted by the Federal government until there obtains a Congressional appropriation. It is understood that purchase of lands privately owned is to be effected or in process within five (5) years.

IN WITNESS WHEREOF, this resolution is signed this 20th day of May, A. D. 1969, by the Trustees of the Internal Improvement Trust Fund of the State of Florida undersigned.

(s) CLAUDE R. KIRK
Governor
(s) TOM ADAMS
Secretary of State
(s) EARL FAIRCLOTH
Attorney General

_____
Comptroller
(s) BROWARD WILLIAMS
Treasurer

See Minutes of June 10, 1969 correcting these minutes by deleting two names, as shown.

5-20-69

(s) FLOYD T. CHRISTIAN
Commissioner of Education

Commissioner of Agriculture

* * *

Many private owners were present and indicated their objections to the resolution. Mayor Ralph Fossey, on behalf of the City of Islandia, strongly opposed the condemnation method whereby the compensation would be decided. Mr. William C. Martin, attorney for said city and land owners, thought the resolution did not protect the land owners. Governor Kirk assured him a Congressional appropriation was a condition precedent to transfer of state lands.

Mr. Walters asked that the safeguards in the resolution also be placed in the instrument (ENG Form 42) which he thought was the prevailing document. Mr. Christian said it would be. Mr. Adams said the intent was to protect every property owner in Islandia which he thought the whole Board wanted, but he realized some people still did not want the Monument. Mr. Christian said the record showed that there would be an appropriation this year by the Congress, that he had been assured by Congressman Fascell that his intent was to get an appropriation to carry the Monument forward and complete it within five years.

DADE COUNTY - ENG Form 42, "Offer to Sell Real Property"
The instrument numbered ENG Form 42 submitted by the District Engineer, Jacksonville District, for Trustees' execution, was related to, or a part of, the above matter. Purpose of the form was to comply with Public Law 90-606 wherein it provided that the "...Secretary shall not declare the Biscayne National Monument established until the State has transferred or agreed to transfer to the United States its right, title and interest in and to its lands within the boundaries of said national monument." Its execution would enable the United States to proceed with land acquisition within the monument. After the Trustees' meeting last week the form was tentatively amended as agreed by parties concerned and submitted for consideration this week. That tentative amendment was changed by the action on this date.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, with Mr. Conner and Mr. Dickinson voting "No", the Trustees approved execution of ENG Form 42, "Offer to Sell Real Property", as amended in accordance with the resolution passed on this date.

LEE COUNTY - Consideration of Settlement of Dredging and Fill Violations by Gulf American Corporation.
Director Randolph Hodges presented for discussion, and for instruction to the staff as to how to proceed, the matter of a proposed settlement of dredge and fill violations by Gulf American Corporation. His checking of dredging and fill operations and Trustees' records disclosed operations begun in 1959 in Lee County by Gulf American and continued many years. A report had been submitted to the Trustees which Mr. Hodges reviewed, on the various permit applications, violations that allegedly occurred over the period from 1959 until 1967, changes in fill material rates and policies regarding penalties, and a proposed settlement which the staff had been negotiating for six or eight weeks with Gulf American

resulting in an offer of $300,000 cash for material taken, offer of an additional $100,000 for land the firm wished to purchase, and offer to deed certain areas to the state in exchange for lands of lesser acreage.

Mr. Gordon Malatratt, Executive Vice-President of Gulf American, and Mr. Richard D. DeBoest, attorney for Gulf American, made lengthy explanations including the statement that it was not the old Gulf American firm but the new Gulf American, purchased by the GAC Corporation of Pennsylvania, with new ownership and new management, which had thoroughly investigated and intended to clean up the slate of old misdeeds. A settlement had been negotiated for consideration of the Trustees which they felt was fair and equitable to all parties.

Gulf American has an interest in lands which might be affected by the recent Wetstone decision by the Supreme Court. Mr. Malatratt thought the alternative to a solution as offered would be litigation and would defer public use of the areas the firm proposed to deed to the State for recreation purposes. Mr. DeBoest spoke of the legal problems involving the mean high tide line location and the difficulty of placing the exact responsibility for failure to complete the permit applications which he said made the proposed settlement desirable for both parties.

The Trustees asked many questions regarding the new firm, the character of the land, the taxes paid, the Wetstone case and the petition for rehearing now pending before the Supreme Court, proposed legislation relating to clearing of titles to lands deeded in the 1880's, and equity to third parties now owning filled properties involved in the violations.

The Gulf American representatives emphasized that they thought this was a generous gesture on the part of the firm and not quid pro quo, that additional investigation by the Trustees was welcome. They read from the staff report that Gulf American was by far the largest land developer in the State of Florida; and it was hoped that this proposal for constructive cooperation between this company and the State of Florida might establish a precedent that would enable large land owners and the public at large to obtain greater benefits than any could acting alone.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, that consideration of the dredge and fill violations and proposed settlement be deferred pending an investigation by the Attorney General and his staff and a recommendation made in due time, and that interim reports on the progress be made to the Trustees as often as practicable.

MONROE COUNTY - Bulkhead Line, Section 253.123 Florida Statutes
The Board of County Commissioners of Monroe County by resolution adopted on April 8, 1969, fixed a bulkhead line along the north side of Spanish Harbor Key in Sections 32 and 33, Township 66 South, Range 30 East, and at the approaches to the new Bahia Honda-Spanish Harbor Key Bridge on State Road No. 5 in Township 66 South, Range 30 East, Monroe County.

All required exhibits were furnished to the Trustees' office. The file indicated that concern was voiced at the local hearing regarding the offshore borrow pits and their effect on the beaches at Bahia Honda Key.

The biological survey report from the Florida Board of Conservation indicated that the filling needed to be done to facilitate the new bridge and road alignments would cause limited adverse effects on marine habitats, but that there were no alternatives because the entire project area and vicinity were productive vegetated habitats for marine life.

The staff recommended approval of the bulkhead line.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the bulkhead line be approved.

MONROE COUNTY - Dedication of Road Right of Way
Section 253.03 Florida Statutes
The State Road Department requested a dedication of upland within Bahia Honda State Park for right of way purposes in connection with the State Road No. 5 (U. S. Highway No. 1) approach to the proposed new Bahia Honda bridge.

Florida Board of Parks had reviewed and approved the request.

Trustees' staff recommended approval.

On motion by Mr. Christian, seconded and unanimously adopted, the Trustees granted the request of the State Road Department and authorized dedication of those parts of Sections 26, 27 and 34 on Bahia Honda Key in Township 66 South, Range 30 East, Monore County, required for state road right of way purposes.

INDIAN RIVER COUNTY - Easement Maintenance Spoil Area
Sebastian Inlet District, represented by Kenneth W. Damerow of James L. Beindorf and Associates, by resolution adopted on April 1, 1969, requested a maintenance spoil area easement in connection with maintaining the channel of Sebastian Inlet. The spoil area embraced 2.58 acres of sovereignty land in the Indian River lying off shore from Government Lots 3 and 4 in Section 20, Township 30 South, Range 29 East, Indian River County.

The biological report submitted on May 9, 1969, by the Florida Board of Conservation was not adverse to the project.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted unanimously, that the maintenance spoil area easement be authorized.

LEE COUNTY - Dredge Permit, Section 253.03 Florida Statutes
United Telephone Company of Florida, by General Outside Plant Engineer, C. A. Sissons, made application for permission to dredge to install a submarine cable crossing the Caloosahatchee River canal in Section 27, Township 43 South, Range 27 East, Lee County.

The proposed installation was in water 24 feet deep, in an area recently dredged wider and deeper as a part of the works of the Central and Southern Florida Flood Control District.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the dredge permit be approved.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Fill Permit, Section 253.124 Florida Statutes

Red Bud Land Company, represented by Leif E. Johnson, made application for issuance of dredge permit to excavate 12,500 cubic yards of material from the Caloosahatchee River outside the established bulkhead line, and requested approval of fill permit issued by Lee County on January 8, 1969, to fill submerged land previously purchased from the Trustees and conveyed in Deed No. 24779 (2076-36). Applicant tendered check for $1,250.00 in payment for the fill material.

The biological survey report from the Florida Board of Conservation, submitted on January 26, 1968, in connection with the submerged land acquisition, was not adverse to development of the parcel. Staff recommended approval.

Mr. Adams asked if the application complied with the criteria the Trustees require - the bulkhead line at the mean high water line or if seaward of that, is justified by being in the public interest. He asked if the bulkhead line for the application area agreed with the recommendations of the Interagency Advisory Committee. After a brief deferment of action on this agenda item, the Director said his staff had checked and the file showed that this was in keeping with the Interagency report.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of dredge permit under Section 253.123 Florida Statutes for the amount of material requested and payment tendered; also, the Trustees approved the fill permit issued by Lee County under the provisions of Section 253.124 Florida Statutes.

LEE COUNTY - Fill Permit, Section 253.124 Florida Statutes

The application of Grafton Development Corporation for approval of a fill permit issued by Lee County to that firm on May 7, 1969, to truck in material to fill 0.311 acre parcel of submerged land purchased under provisions of Chapter 67-393, Laws of Florida, was considered.

The agenda showed that the biological survey report, executed by the Board of Conservation on March 17, 1967, in connection with establishment of the bulkhead line, was not adverse.

Mr. Adams questioned whether the bulkhead line met the same criteria mentioned in the preceding item and, in agreement with the suggestion of the Director, action was deferred until the next meeting.

MANATEE COUNTY - Dredge Permit, Section 253.123, and
Fill Permit, Section 253.124 Florida Statutes

Key Royale, Inc., applied for a dredge permit to remove 118,140 cubic yards of material and approval of fill permit issued by the City of Holmes Beach, Florida. The city had indicated that the bulkhead line as presently located in this area was satisfactory. The agenda showed that the biological report was not adverse if applicant follows recommendations of the Board of Conservation relative to dredging and filling methods.

Payment had been tendered for fill material at the rate of 5 cents per cubic yard, and the application had been filed prior to Trustees' establishing the 10 cents per cubic yard rate.

The question raised by Mr. Adams as to the two preceding items was brought up and action was deferred until the next meeting, for the staff to show that the bulkhead line was at the mean high water line, or was justified in the public interest, and was in compliance with the recommendations of the Interagency Advisory Committee report on bulkhead lines.

Representing the applicant, Mr. Leo Mills showed the location of the application on a map, said the lands were purchased around 1954, and since filling was started in 1955 there had been erosion and a change in the shoreline. Mr. Adams pointed out that several weeks ago the Trustees had sought to get Manatee County to review all the bulkhead lines, and he felt that the Trustees should not act on applications piece-meal that do not conform to the criteria. Mr. Jim Smith, Administrative Assistant to the Director in the Trustees' office, said applications met the qualifications or the staff did not put them on the agenda.

The Director suggested that action be deferred to allow the staff to make a full explanation to the Trustees.

It was so ordered.

MONROE COUNTY - Dredge Permit, To Improve Navigation
Ismael Fuentes applied for permission to connect a navigation channel 30 feet wide by 5 feet deep by 177 feet long from the applicant's upland property through purchased submerged lands into the Atlantic Ocean in Section 8, Township 63 South, Range 38 East, Monroe County. Material would be placed on the upland.

The Florida Board of Conservation survey report indicated that the channel should not have significant adverse effects on marine life, and the staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that the dredge permit be approved.

NASSAU COUNTY - Dredge Permit, Channel Connections
William Moore, of Gordon Brent Investment Company, applied for permit to construct three channels connecting proposed upland canals with the Nassau River and the Pumpkin Hill Creek in Sections 3, 9 and 11, Township 1 North, Range 28 East, Nassau County. The material removed would be placed on applicant's upland.

The Florida Board of Conservation biological study indicated that while the proposed channel connections would destroy valuable cordgrass habitat, the connections would provide access to a large upland area.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the dredge permit.

PINELLAS COUNTY - Dock and Dredge Permit, Sec. 253.03 and 253.123 Florida Statutes, Marine Railway Installation
The Pinellas County Water and Navigation Control Authority issued, and referred to the Trustees for approval, a dock permit to Gulf Marine Ways for the construction of a commercial marine railway in the Anclote River in Sections 11 and 12, Township 27 South, Range 15

East, Pinellas County. Material removed would be placed on applicant's upland.

The Florida Board of Conservation biological study indicated that the project would have no significant adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the dock and dredge permit for the marine railway, for $100.00 processing fee.

DADE COUNTY - Lease Assignment
Mr. G. Victor Tutan, attorney, made application for approval of assignment of private campsite lease No. 2158 dated February 1, 1966, from Anthony G. Klose, lessee, to Robert R. Bellamy and Read S. Ruggles, Jr.

The campsite was located in Biscayne Bay south of Key Biscayne. The Director advised that rental was $100.00 per year and this was not a new lease.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved assignment of campsite lease No. 2158 as requested.

SUBJECTS UNDER CHAPTER 18296

WALTON COUNTY - Refund
Land described in Walton County Murphy Act Deed No. 363 dated August 15, 1958, to Bessie Graham was double assessed with the land described in tax sale certificate No. 309 of September 4, 1933. The taxes were paid May 26, 1939, on the land embraced in tax sale certificate No. 309 of 1933.

The staff requested authority for the issuance of refund in the amount of $30.00, the amount received by the State of Florida, to the grantee in the Murphy Act deed, and authority to void Deed No. 363 dated August 15, 1958, to Bessie Graham.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the refund and voiding of Deed No. 363 be authorized.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR

* * * * * * * * *

5-20-69

Tallahassee, Florida
May 27, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol. The following members were present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Jim Smith — Administrative Assistant

The Trustees approved the minutes of the meeting of May 20, 1969, as submitted.

COASTAL PETROLEUM COMPANY - Attorney General Earl Faircloth brought up the Coastal Petroleum Company matter and asked Assistant Attorney General Herbert Benn to make an up-to-date report. Mr. Benn said the state had counterclaimed in court in January 1969 against the suit entered by Coastal Petroleum Company, that the state had alleged that the leases were void for failure of Coastal to comply with the lease terms. He said that on May 26 the state filed a suit in Palm Beach Circuit Court claiming that Coastal had failed to comply with lease agreements and therefore the leases were void, that mining of Lake Okeechobee will damage the water supply, fisheries, wildlife, interfere with flood control works and sport fishing. Mr. Benn said that in both the federal and state courts the Trustees had taken action to enjoin Coastal. Further, in cooperation with the Legislature and the Trustees' staff, the Attorney General's office had introduced or caused to be introduced several bills pertaining to mineral leasing authority, terms, methods, and also a bill to remove estoppel against the Trustees asserting title to lands.

Mr. Benn further discussed the action the Attorney General's office had taken, and later in the meeting stated that Coastal had not exhausted its administrative remedies by requesting the necessary permits from state agencies, that Coastal had amended its complaint and alleged inverse condemnation naming the figure of 44 million dollars, that the office of the Attorney General had diligently pursued the litigation which is now pending in the Federal Court, and the state's position would be well represented at the June 12 hearing scheduled by the U. S. Army Corps of Engineers. He stated that Coastal had failed to live up to the covenants of the contracts and that Drilling Lease 224-A As Modified, Drilling Lease 224-B As Modified, and Drilling Lease 248 As Modified therefore were void.

Governor Kirk had secured legal assistance of Mr. Dennis M. O'Connor and Mr. Allan Milledge who had reviewed the Lake Okeechobee situation and submitted a report containing their findings and recommendations to the Trustees on May 26, 1969. They reviewed their report which recommended that the Trustees terminate Lease 248 As Modified by adopting a proposed resolution, that additional legal steps be taken to prevent any operations by Coastal in Lake Okeechobee, that

the Trustees obtain legislative and regulatory reforms to prevent similar situations in the future, and that the Trustees by formal resolution inform the Secretary of the Army of the action taken on this date and the objections of the state.

Mr. Milledge explained how the lease might automatically renew itself under its terms, that the pleading filed in the District Court action was notice to the company of the drilling deficiencies, that the thirty-day period had elapsed and the Trustees should immediately terminate Lease No. 248 As Modified by adoption of a resolution.

The Attorney General and Mr. Benn said actions taken had covered all points brought up in the review, that the suit was being vigorously defended by the office of the Attorney General for the protection of the State of Florida, that the lawyers' memorandum would be welcome but assistance was not required. Mr. Faircloth said the suggested resolution might be helpful.

Motion was made by the Attorney General, seconded by Mr. Williams and adopted unanimously, that the Trustees adopt the resolution declaring Drilling Lease No. 248 As Modified in default in its entirety and declaring the lease and all lessee's rights thereunder terminated.

A copy of the resolution is attached hereto as a part of these minutes.

Question was raised by Mr. Christian and there was discussion regarding the authorization recorded in the April 22nd minutes for the Chairman to work with the Attorney General to secure whatever additional assistance might be needed in the pending litigation with Coastal. Mr. Christian said the consulting lawyers were not working with the Attorney General. Mr. Adams agreed that the minutes were correct, and Mr. Faircloth and others raised the question of authority for incurring the expense. Mr. O'Connor said that he and Mr. Milledge considered their work terminated when they submitted their report.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees requested that a bill be submitted by the consulting lawyers for services rendered.

Mr. Dickinson made a motion that the Trustees join as a party in the suit filed yesterday in the Circuit Court in Palm Beach County by the Attorney General in his name on behalf of the people of Florida.

After discussion, Mr. Christian made a substitute motion that the suit be amended in the name of the Trustees and be continued by the Attorney General as the legal officer of the State. The motion was seconded by Mr. Dickinson and adopted.

After considerable discussion, explanation of the legal action that had been taken, suggestions for additional action that would support the state's position and achieve what was desired to be accomplished, Mr. Adams felt the Trustees might want to consider a formal resolution expressing to the United States the objections of the State of Florida, previously registered by telegram advising the Corps of Engineers that the state would present its objections at the hearing on June 12.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that such a resolution be appropriately drafted and forwarded to the Secretary of the Army, so that the position of the

State of Florida as a result of the actions taken on this date can be clearly defined.

A copy of the resolution is attached hereto as a part of these minutes.

DADE COUNTY - File No. 2106-13-253.12, Land Sale.
M. B. Garris on behalf of Leo Witz, Trustee, applied for 2.65 acres of sovereignty land in the abandoned Florida East Coast Canal in Section 11, Township 52 South, Range 42 East, landward of the established bulkhead line in Dade County.

On April 8, 1969, the Trustees had considered the application and authorized advertisement for objections only. Notice of sale was published in the Miami Beach Times, proof of publication filed, and no objections to the sale were received.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the Trustees confirmed sale of the advertised parcel for the appraised price of $2,650.00 (for the parcel).

LEE COUNTY - File No. 2146-36-253.12, Land Sale.
George T. Swartz on behalf of E. H. Jewett et ux, W. M. Miller, H. C. Haskell, Jr., and Katherine Hammond, applied for four (4) contiguous parcels of sovereignty land in Boca Grande Yacht Basin containing a total of 0.63 acre, more or less, abutting Section 14, Township 43 South, Range 20 East, Boca Grande, Gasparilla Island, landward of the established bulkhead line in Lee County.

On April 15, 1969, the Trustees considered the application and authorized advertisement for objections only. Notice of proposed sale was published in the Fort Myers News-Press, proof of publication filed, and no objections were received.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees confirmed sale of the four small parcels to the applicants at the appraised prices, listed as follows:

Parcel A, 0.02 acre valued at $193.00 to W. M. Miller
Parcel B, 0.22 acre valued at $1,863.00 to E. H. Jewett et ux
Parcel C, 0.07 acre valued at $593.00 to Harry G. Haskell
Parcel D, 0.32 acre valued at $2,710.00 to Katherine Hammond.

PALM BEACH COUNTY - File No. 2187-50-253.03, Dedication.
By Resolution No. 6-69 dated April 1, 1969, the City of Boca Raton applied for a 2.92 acre parcel of sovereignty land between the meanders of non-existent Boca Ratones Lagoon abutting Government Lot 3, Section 9, Township 47 South, Range 43 East, within the City of Boca Raton, Palm Beach County.

On April 15, 1969, the Trustees authorized advertisement for objections only and on the date of preparation of the agenda none had been received. However, on May 26 an objection was received and the staff requested deferment for checking title information to determine if the objection was valid.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted unanimously, the matter was deferred.

DADE COUNTY - File No. 2189-13-253.12, Application to Purchase. S. P. J., Inc., represented by Joseph W. Bradham, Jr., applied to purchase a 0.57 acre parcel of sovereignty land in Indian Creek abutting Lots 1 through 8, Block 3, Amended Plat of 2nd Oceanfront S/D, Plat Book 28, Page 28, Public Records of Dade County, lying in Section 11, Township 53 South, Range 42 East, Dade County. The application was made for the purpose of supplementing uplands in connection with a multi-family housing development. Applicant offered to pay the appraised value.

The biological survey report from Florida Board of Conservation dated August 29, 1968, was not adverse to sale and development.

Application was placed on the agenda for advertisement before an appraisal, ordered April 29, 1969, was in hand because of an element of time relating to the applicant's efforts to obtain a variance permit. The appraiser had indicated that the report should be forthcoming in approximately 30 days.

Staff recommended advertisement for objections only. In the event the appraisal is not at hand before the advertised sale date, staff will recommend that the application be held in abeyance until receipt of the appraisal.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, that the parcel be advertised for objections only.

MANATEE COUNTY - File No. 21292-41-253.124 - Dredge and Fill Permits. Leo Mills on behalf of Key Royale, Inc. requested issuance of dredge permit under provisions of Section 253.123 Florida Statutes for removal of 118,140 cubic yards of material. Payment was tendered at the rate of 5¢ per cubic yard, as the application was filed prior to establishment of the 10¢ per cubic yard rate.

Also, applicant requested approval of fill permit issued by the City of Holmes Beach under provisions of Section 253.124 Florida Statutes.

The biological survey report from Florida Board of Conservation indicated that dredging and filling would not adversely affect marine biological resources if certain recommendations were followed relative to dredging and filling methods, to reduce silting.

The Trustees deferred action on this application last week for review of Interagency Advisory Committee reports of this area. On July 18, 1968, said committee deferred action on Area 2 of the City of Holmes Beach bulkhead line pending a biological survey report (mentioned above). By action on August 20, 1968, the Interagency Advisory Committee reconfirmed the bulkhead line location in Area 2.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the dredge permit for the material requested and approved the fill permit issued by the City of Holmes Beach, subject to compliance with the Board of Conservation recommendations as to dredging and filling methods to prevent siltation.

LEE COUNTY - Fill Permit, Section 253.124 Florida Statutes, File No. 24693 (2025-36) - 253.124

Grafton Development Corporation, represented by Richard D. DeBoest, requested approval of a fill permit issued by Lee County on May 7, 1969, to truck in material to fill 0.311 acre parcel of submerged land purchased under provisions of Chapter 67-393, Laws of Florida. The biological survey report from the Board of Conservation dated March 17, 1967, prepared in connection with establishment of the bulkhead line, was not adverse.

The Trustees deferred action last week on this application pending review of Interagency Advisory Committee recommendations as to bulkhead line locations. On July 23, 1968, the Interagency Committee unanimously reaffirmed the bulkhead line location applicable to this area.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the fill permit.

BAY COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Joseph Ikeguchi, General Manager of Akima International, Inc., applied for permit to construct a navigation channel 40 feet wide by 5 feet deep by 1600 feet long in North Bay to provide access to applicant's upland in Section 24, Township 3 South, Range 15 West, Bay County. The material removed would be deposited on applicant's upland property.

The Florida Board of Conservation biological report indicated that subject area was well vegetated and while destruction of the area was not in the best interests of marine conservation, the proposed channel would provide needed access to applicant's upland.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the dredge permit requested.

DIXIE COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

J. M. McKinney applied for permit to connect two upland canals with Demory Creek at the Suwannee River in Sections 19 and 20, Township 13 South, Range 12 East, Dixie County. The material removed in making the canal connections would be deposited on applicant's upland.

Florida Board of Conservation biological report indicated that the area was not a nursery or feeding ground for marine life, and the small amount of dredging to connect the proposed canals to Demory Creek would in itself not have significant adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees authorized issuance of the dredge permit.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

John G. Cowley, General Manager of Pensacola Beach, applied on behalf of said Beach, administered by Santa Rosa Island Authority, an agency of Escambia County, for a permit to do maintenance dredging to remove two shoals in the channel connecting Santa Rosa

Sound with Little Sabine Bay. The material removed would be placed on the Santa Rosa Island Authority upland.

Staff requested waiver of requirement for a biological study as provided in Section 253.122(3)(a), since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the dredging permit.

ESCAMBIA COUNTY - Marina and Boat Basin, File No. 249
Dock Permit, Section 253.03 and
Dredge Permit, Section 253.123 Florida Statutes.

Jack M. Merritt for Merritt Marina & Marina Supplies of Pensacola, Florida, applied for permit to amend his original permit to allow construction of an addition to the existing facility and a perimeter wave screen, and to perform maintenance dredging inside the existing boat basin in Big Lagoon adjacent to applicant's upland property in Section 24, Township 3 South, Range 31 West, Escambia County. The material removed would be placed on applicant's upland.

All required exhibits, including $100.00 processing fee for a state commercial dock permit, were furnished.

The Florida Board of Conservation biological report indicated the sandy and unvegetated dredge area should not be adversely affected with respect to marine life, by the proposed work.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the dredge permit and approved dock permit for $100.00 processing charge.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

Frank K. Hubbard, Rod & Reel Lodge Marina, Inc., applied for permit to dredge to improve navigation adjacent to existing piers in Big Lagoon adjacent to applicant's upland in Section 24, Township 3 South, Range 31 West, Escambia County. Material removed would be placed on applicant's upland.

Florida Board of Conservation biological report indicated that the dredge area to the west of existing piers was sandy and unvegetated, that the dredge area to the east of the piers was vegetated and a nursery and feeding ground. While destruction of the vegetated area would not be in the best interest of conservation, there was an apparent need for improvement of the marina facility as boats had difficulty entering and leaving because of shallow water.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the Trustees authorize issuance of the dredge permit to improve navigation.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 F.S., File 229.

Donald K. Plank applied for permit to construct a navigation channel 15 feet wide by 4 feet deep by 40 feet long in Dons Bayou in Section 1, Township 2 South, Range 24 West, Okaloosa County. The material removed would be deposited on upland.

The Florida Board of Conservation report indicated that the area was not a nursery or feeding ground and the small channel should not have significant adverse effects on marine life.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted unanimously, that the dredge permit be authorized.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. F. D. R. Park, Water Control Engineer, Metropolitan Dade County Public Works Department, applied for permits for two submarine cables crossing the Miami River, to provide electrical service to the east span of the Northwest Fifth Street bascule bridge.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) since the public need would be served.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of dredge permit for the submarine cable installation.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. M. W. Gilliam, Liaison Engineer, Florida Power Corporation of St. Petersburg, Florida, applied for permit to install a submarine cable across Johns Pass in Section 15, Township 31 South, Range 15 East, Pinellas County.

Florida Board of Conservation biological report indicated that the proposed submarine cable crossing would have no significant adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the application.

ST. LUCIE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Louis Fisher and The Estate of Edson Arnold (deceased), represented by James L. Beindorf and Associates, applied for permit to construct commercial dock in the Indian River adjacent to the applicant's upland in Section 34, Township 34 South, Range 40 East, St. Lucie County. All required exhibits and $100.00 processing fee were submitted.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the application.

SARASOTA COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Yacht Club, Inc., by its Secretary, William H. Stockham, Sarasota, Florida, applied for a commercial state dock permit authorizing removal of an existing dock and replacement with a new dock in Sarasota Bay adjacent to applicant's upland property in Section 26, Township 36 South, Range 17 East, Sarasota County. All required exhibits and $100.00 processing fee were submitted.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees approved the application.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes.
Pinellas County Water and Navigation Control Authority approved the issuance of a commercial dock permit to Jeff A. Hedden, Sr., Trustee, d/b/a Crystal Bay Mobile Homes Estate, Palm Harbor, Florida, for construction of a dock in Avery Bayou adjacent to applicant's upland property in Section 35, Township 27 South, Range 15 East, Pinellas County. All required exhibits and $100.00 processing fee for state permit had been furnished.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the state commercial dock permit.

PUTNAM COUNTY - Swan Lake Investigation.
The application of Carl C. Carnes to purchase alleged illegally filled lake bottoms in Swan Lake in Putnam County, which was recommended for advertisement only on the agenda of May 13, 1969, was denied by the Trustees in meeting on that date. The staff was directed to investigate the entire lake for illegal dredging activities and to report back in two weeks.

Staff requested additional time of approximately three weeks to complete the investigation before placing the matter on the agenda. Mr. Smith stated that the staff recommendations would be cleared with the Attorney General.

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees extended the time for completion of the investigation before further consideration.

MONROE COUNTY - Quitclaim Deed, Section 253.12(6) Florida Statutes
File No. 2167-44-253.12(6)
James M. Hickman, et ux, represented by James T. Glass, requested issuance of quitclaim deed to a parcel of sovereignty land containing 0.032 acre that was filled prior to June 11, 1957, abutting a portion of Block 5, Amended Plat of Tavernier Beach, Plat Book 1, Page 201, Public Records of Monroe County, in Section 34, Township 62 South, Range 38 East, Monroe County.

Under the provisions of Section 253.12(6), it is mandatory to convey sovereignty lands filled prior to June 11, 1957, for the appraised value of such lands as they existed prior to filling. A parcel of sovereignty land sold by the Trustees on October 21, 1958 (Trustees Deed No. 21937(331-44), immediately adjacent to subject parcel, was valued at the rate of $300.00 per acre.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of quitclaim deed for minimum consideration of $100.00.

PALM BEACH COUNTY - Disclaimer, File No. 2208-50-253.129.
Frank McGee, et ux, et al, represented by George R. Brockway, requested issuance of a disclaimer to 3.82 acres of sovereignty land filled prior to enactment of Chapter 57-362, Laws of Florida, abutting applicants' uplands in the North 400 feet of the South 600 feet of the N½ of Government Lot 2, Section 35, Township 44 South, Range 43 East, Palm Beach County.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of disclaimer for the usual $100.00 processing fee.

BAY COUNTY - Easement, File No. 2205-03-253.03.
Panama City Port Authority requested permanent spoil easement in St. Andrews Bay covering 10.33 acres adjacent to Section 34, Township 3 South, Range 15 West, Bay County.

Biological survey report from the Board of Conservation was not adverse to the proposed spoiling in the area selected.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the spoil easement.

MONROE COUNTY - Easement for Right of Way.
The State Road Department requested dedication of right of way over bottoms in Florida Bay in Sections 33 and 34, Township 66 South, Range 30 East, Monroe County, between Spanish Harbor Key and Bahia Honda Key, Parcel No. 101.1, Section 90030-2501, State Road 5.

Florida Board of Conservation survey report indicated that the filling needed for the new bridge and road alignments would cause limited adverse effects on marine habitats but there were no alternatives because the entire project area and vicinity were productive vegetated habitats for marine life.

It was planned that the old bridge would remain as an attraction for fishermen and fish after the badly needed new bridge was completed.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of dedication instrument for the right of way needed by the State Road Department.

PINELLAS COUNTY - Easement for Right of Way.
The State Road Department requested dedication of right of way over bottoms in Johns Pass in Section 15, Township 31 South, Range 15 East, Pinellas County, Parcel No. 100.1, Section 15100-2509, State Road 699, containing 3.00 acres, more or less. No filling or dredging was contemplated.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of dedication instrument for the right of way needed by the State Road Department.

PINELLAS COUNTY - Canal Right of Way Easement.
Southwest Florida Water Management District requested additional right of way for LakeTarpon Outfall Canal over sovereignty land in Safety Harbor (Possum Creek Branch) in Section 22, Township 28 South, Range 16 East, Pinellas County. The additional 13.05 acres would supplement right of way previously acquired. On February 15, 1966, the Trustees had authorized issuance of Right of Way Easement Instrument No. 24211 for the canal.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted, the Trustees authorized issuance of easement for the additional right of way.

MONROE COUNTY - Release Public Purpose Covenants.
The City of Key West and Mr. A. E. Golan, represented by Mr. Edward B. Knight, applied for release of public purpose covenants as to certain land conveyed by the Trustees in Deed No. 19550 dated December 27, 1949.

By action on February 15, 1966, the Trustees authorized release of restrictive covenants as to a 4.92 acre parcel (actually embracing 4.80 acres) lying within said deed. To date, by virtue of Trustees Quitclaim Deed No. 19550-A, only 1.80 acres have been released from the covenant. In consideration for such release, the city conveyed a 4.92-acre parcel (actually embracing 5.41 acres) to the Trustees that had been obtained through a trade. The Trustees reconveyed the 4.92-acre parcel by virtue of Deed No. 19547-Supplemental to the city encumbered with a public purpose covenant.

The applicants desired to have the remaining acres released on an acre-per-acre basis to balance off as evenly as practicable such areas encumbered with restrictions against areas subject to release. As additional consideration, Mr. Golan would convey approximately 5.5 acres of land to the City of Key West.

In support of the request by the City of Key West and Mr. Golan, a surveyor's affidavit had been submitted attesting to the discrepancy in acreage; Resolution No. 68-87 adopted by the City of Key West agreeing to an exchange of lands and requiring a release, and title certificates of the subject parcels were furnished. The Trustees' staff recommended that the releases be granted.

On motion made by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees authorized release of the public purpose covenants to the City of Key West covering 1.295 acres and to A. E. Golan covering 2.529 acres.

MONROE COUNTY - Sand Lease Application.
J. F. Thomson, President, Allied Electrical Co., Inc., applied for a commercial sand lease on two areas offshore from Boca Chica Key and the Island of Key West, offering 15¢ per cubic yard for all sand removed.

A biological report from the Board of Conservation indicated that area #1 on east side of Boca Chica channel was devoid of any seagrass but the surrounding areas were well vegetated, and area #2 on northeasterly side of Northwest Channel approximately 3½ miles northwest of Key West had sandy bottoms where dredging should not have serious effects.

An inspection by the Beaches and Shores Division of the Board of Conservation indicated that a hydrographic study was not necessary but recommended that dredging should not be conducted within 1000 feet of the shoreline in area #1.

Staff recommended issuance of 3-year lease subject to cancellation after 60-day written notice, royalty of 20¢ per cubic yard, $250.00 annual minimum, and a surety bond of $3,000.00 subject to review

of the Attorney General.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the staff recommendations as the action of the board.

SHELL LEASE REPORT - On motion by Mr. Williams, duly adopted, the Trustees received for the record the following report of remittances received by Florida Board of Conservation from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 9,242.73
1788	Benton and Company	11,314.17
2233	Bay Dredging and Construction Company	7,100.63

MONROE COUNTY - Secretary of State Tom Adams called attention to a matter deferred on June 4, 1968, an application for permit to take material from a submerged land area between Stock Island and Raccoon Key. He said it involved a considerable amount of dredged material, some of which was used by the Junior College, that it involved after-the-fact request and offer was made of 12¢ per cubic yard, but that now he understood an offer had been made of 40¢ a cubic yard if the material could be made available soon. Mr. Adams suggested advertisement for bids and sale to the high bidder, if the material was not needed by the state for the Junior College or other purposes.

Mr. Smith said the staff had been working on the matter, had written to Mr. Toppino (who applied for permit in 1968), had asked for legal advice from the Attorney General.

Motion was made by Mr.Adams and seconded by Mr. Christian that the material be advertised for bids and sold, if not needed by the state, subject to approval of the Attorney General. The motion was adopted.

Mr. Faircloth said it would enable the state to receive more for the material, that illegal dredging and filling should be penalized in every possible way.

BISCAYNE NATIONAL MONUMENT, DADE COUNTY.
Commissioner of Education Christian called attention to notice received by the Cabinet from the Mayor of Islandia taking the position that the resolution adopted on May 20, 1969, regarding Biscayne National Monument failed to meet the requirements of Section 253.02, Section 2, of the Florida Statutes, as five affirmative votes are required to sell or dispose of property. He suggested that the legal grounds be reviewed and a determination made, and the matter be reconsidered if there was a legal question. On May 20 the vote had been four to two, and one member had been absent.

Mr. Conner said he had received much mail on the subject, that he hoped there could be some sort of simultaneous conveyance and that citizens could be protected from any delay such as a five or ten year acquisition period.

There was no action taken.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

ATTEST: DIRECTOR

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TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Trust Fund are vested with ownership of the sovereignty lands of the State of Florida and are charged with a duty of trust to administer these lands in the public interest of all citizens of the State of Florida, and,

WHEREAS, the Trustees on February 27, 1947, entered into drilling Lease No. 248 As Modified with Coastal Petroleum Company for the purpose of development of the oil and gas resources of the State of Florida in the areas designated in said lease, and,

WHEREAS, there has been no drilling or allocated drilling by lessee within the areas covered by this lease from December 19, 1959, to the present, and,

WHEREAS, there has not been reasonable development by lessee of the oil and gas resources underlying the land described in the lease, and,

WHEREAS, lessee has not demonstrated due diligence in the development of the resources contemplated in the lease, and,

WHEREAS, these failures constitute breaches of covenant by lessee and failures of conditions necessary for continuance and renewal of the lease, and,

WHEREAS, each of the above mentioned failures constitutes a separate and independent basis for the termination of this lease, and,

WHEREAS, by reason of the foregoing the Trustees consider that lessee has not conducted operations in compliance with the lease and whereas the Trustees have notified the lessee in writing on April 22, 1969, of the facts constituting such breach and whereas the lessee has not commenced compliance within thirty days after such notification or pursued any compliance to the satisfaction of the Trustees,

NOW, THEREFORE, The Trustees do hereby declare that Drilling Lease No. 248 As Modified is in default in its entirety, and declare the lease and all lessee's rights thereunder terminated.

IN WITNESS WHEREOF we place our hands and seals this 27th

day of May, A. D. 1969.

(s) CLAUDE R. KIRK, JR.
Governor

(s) TOM ADAMS
Secretary of State

(s) EARL FAIRCLOTH
Attorney General

(s) FRED O. DICKINSON, JR.
Comptroller

(s) BROWARD WILLIAMS
Treasurer

(s) FLOYD T. CHRISTIAN
Commissioner of Education

(SEAL)
Trustees of the Internal
Improvement Fund

(s) DOYLE CONNER
Commissioner of Agriculture

As and Constituting the TRUSTEES OF
THE INTERNAL IMPROVEMENT FUND OF
THE STATE OF FLORIDA

* * * * * * *

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

RESOLUTION

WHEREAS, the Trustees of the Internal Improvement Trust Fund are vested with ownership of the sovereignty lands of the State of Florida and are charged with a duty of trust to administer these lands in the public interest of all citizens of the State of Florida, and,

WHEREAS, the Trustees on February 27, 1947, entered into Drilling Lease No. 248 As Modified with Coastal Petroleum Company for the purpose of development of the oil and gas resources of the State of Florida in the areas designated in said lease, and,

WHEREAS, Coastal Petroleum Company has not obtained the requisite permission from the appropriate Board of County Commissioners of the affected counties or from the Trustees of the Internal Improvement Trust Fund or from the Central and Southern Florida Flood Control District, and furthermore has announced publicly that it intends to proceed with its dredging operations in Lake Okeechobee without obtaining such permission contrary to the laws of the State of Florida, and,

WHEREAS, Drilling Lease No. 248 As Modified does not contemplate dredging to obtain aggregate or fill or for similar purposes, and,

WHEREAS, Drilling Lease No. 248 As Modified according to its terms and provisions has this date been declared by these Trustees to be in default and terminated in its entirety and all lessee's rights thereunder terminated, and,

5-27-69

WHEREAS, the proposed dredging operations of Coastal Petroleum Company will, or may, cause irreparable injury to the waters, lands and people of the State of Florida as follows: pollution of the Lake Okeechobee water supply, damage to commercial fisheries in said lake, interference with flood control operations, damage to sport fishing, damage to wild birds and other wildlife, interference with navigation and interference with various other recreational uses of Lake Okeechobee,

NOW, THEREFORE, it is resolved that Governor Claude R. Kirk, Jr., communicate these facts on behalf of these Trustees to the Secretary of the Army of the United States with reference to the public hearing scheduled for June 12, 1969, by the Army Corps of Engineers on Coastal Petroleum Company's application for a permit to dredge in Lake Okeechobee.

IN WITNESS WHEREOF we place our hands and seals this 27th day of May, A. D. 1969.

(s) CLAUDE R. KIRK, JR.
Governor

(s) TOM ADAMS
Secretary of State

(s) EARL FAIRCLOTH
Attorney General

(s) FRED O. DICKINSON, JR.
Comptroller

(s) BROWARD WILLIAMS
Treasurer

(s) FLOYD T. CHRISTIAN
Commissioner of Education

(s) DOYLE CONNER
Commissioner of Agriculture

As and Constituting the TRUSTEES
OF THE INTERNAL IMPROVEMENT FUND
OF THE STATE OF FLORIDA

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Tallahassee, Florida
June 3, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol. The following members were present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

6-3-69

Randolph Hodges Director

On motion duly adopted, the Trustees approved the minutes of the meeting of May 27, 1969.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Brevard County by resolution adopted July 3, 1968, fixed a bulkhead line along the north side of the Banana River Bridge on Merritt Island adjacent to an existing barge canal in Section 9, Township 24 South, Range 37 East, Brevard County. All required exhibits were furnished and the records showed no objections at the local hearing.

Biological survey report from Florida Board of Conservation indicated no significant harm to marine resources; however, should future dredging and filling be planned, the area should be diked to prevent siltation of surrounding areas.

Staff recommended exception of that portion that crossed the right of way for Bennett Causeway (State Road 528).

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, that the bulkhead line be approved except that portion that crossed the said right of way.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Pinellas County Water and Navigation Control Authority in meeting on August 13, 1968, approved the bulkhead line established by the Town of South Pasadena in Boca Ciega Bay north of old Corey Causeway in Sections 30 and 31, Township 31 South, Range 16 East, and in Sections 25 and 36, Township 31 South, Range 15 East, Pinellas County, subject to restriction imposed by the Florida Board of Conservation. There were no objections at the local hearing.

The Florida Board of Conservation biological survey report indicated that establishment of the proposed bulkhead line and subsequent filling would not cause significant damage to the marine resources in the area provided certain restrictions were followed in development, as follows: (1) oysters on the north end of the east island should be moved before seawalls are built; (2) the canal between the islands should not be filled so that tidal currents will not be lessened; (3) all fill material should be trucked in and/or dredged from inside the bulkhead line; and (4) any fill areas should be diked to minimize siltation of adjacent waters and bottoms.

The bulkhead line was established along the mean high water line except where it crossed existing canals and where it was located to make a smooth transition from land to land across potential debris-catching pockets. The bulkhead line was not in that area of Boca Ciega Bay proposed to be set aside as an aquatic preserve as recommended by the Interagency Committee Report No. 2. House Bill No. 1502 and Senate Bill No. 1151 were introduced to establish Boca Ciega Bay as an aquatic preserve.

On motion by Mr. Christian, seconded by Mr. Williams and adopted

unanimously, the Trustees approved the bulkhead line as located by Pinellas County.

CITRUS COUNTY - File No. 2188-09-253.12, To Be Advertised. Charles Kofmehl made application to purchase a parcel of heretofore filled sovereignty land abutting Government Lot 4, Section 21, Township 18 South, Range 17 East, containing 1.628 acres in the City of Crystal River, Citrus County. The applicant offered the appraised value of $4,761.44 per acre for the land to be used in connection with enlarging the present marina.

The Florida Board of Conservation survey report indicated that the submerged lands should not incur significant adverse effects within the limits of the proposed bulkhead line. The Interagency Advisory Committee recommended that the bulkhead line be set at the line of mean high water; and the bulkhead line for the application area was approved by the Trustees on April 8, 1969, approximately at the mean high water line.

Staff recommended advertisement for objections only, and Mr. Williams made a motion that this be done.

Mr. Adams said the board should adopt some uniform procedure to insure the review of bulkhead lines in counties and municipalities and conformance of lines with recommendations of the Interagency report. He pointed out that the Trustees could defer action on any application until the local governing body had brought its entire bulkhead line into conformity, that it appeared that some counties had not conformed but had just stated that they wanted the bulkhead lines to remain where they were - and he did not intend to vote for any dredge, fill or other applications involving bulkhead lines that did not conform to the Interagency report. Consideration of only those applications where the lines complied with the Interagency recommendations would be the means of compelling local governments to conform, Mr. Adams stated.

The Director noted that the Interagency report recommended that the bulkhead lines be either at the high water line or be justified as being in the public interest - and who was to decide what was in the public interest. Governor Kirk said it should be proven to the Trustees, and asked for a list showing which local governing bodies had complied.

Mr. Christian expressed the feeling that there would be some exceptions, that some counties had advised that they were unable to budget the large sums needed for review or revision of all their bulkhead lines which would involve a great deal of surveying and work a hardship on local boards, that where they were deliberately dilatory he would agree with Mr. Adams but other extenuating circumstances should be considered, also. He asked that the list show counties that had complied, those that had responded but were not in complete compliance with the Interagency Advisory Committee recommendations.

It was noted that the subject application was within the bulkhead line set by the City of Crystal River approximately at the mean high water line.

The motion made by Mr. Williams to advertise the subject land for objections only was seconded by Mr. Christian and adopted because, the Governor noted, the City of Crystal River had complied with Interagency recommendations.

CITRUS COUNTY - File No. 2175-09-253.12, To Be Advertised.
Edwin M. Purcell made application to purchase a parcel of heretofore filled sovereignty land abutting Government Lot 5, Section 21, Township 18 South, Range 17 East, containing 0.849 acre in the City of Crystal River in Citrus County. He offered the appraised value of $4,153.22 per acre for the land to be used in connection with enlarging the present marina operation.

The Florida Board of Conservation biological survey report indicated that the submerged lands should not incur significant adverse effects within the limits of the proposed bulkhead line. The Interagency Advisory Committee recommended that the line be set at the line of mean high water; and the bulkhead line approved by the Trustees on April 8, 1969, in the subject area was located approximately at mean high water line.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized advertisement of the land for objections only.

PALM BEACH COUNTY - File No. 2187-50-253.03, Dedication.
The City of Boca Raton by Resolution No. 6-69 adopted April 1, 1969, had applied for a 2.92 acre parcel of sovereignty land between the meander lines of non-existent Boca Ratones Lagoon abutting a portion of Government Lot 3, Section 9, Township 47 South, Range 43 East, Palm Beach County. The Trustees on April 15, 1969, authorized advertisement of the parcel for objections only.

On behalf of Nellie B. Harvey Winchester Phillips, et al, objection to the sale was filed by Mr. C. Robert Burns, an attorney, who was present on this date to express his clients' claim to title to said Government Lot 3.

On May 27 the staff had requested deferment until it could be determined if the objection was valid. Title report was submitted by the applicant showing that the city owned the subject lot and by telephone conversation J. P. Vansant, the Director of Engineering for the City of Boca Raton, had assured the staff that title insurance had been secured by the city and a copy of title policy No. PTO29596 was mailed to the Trustees' office. Staff recommended that the objections be overruled and the city's application approved.

Mr. Burns commented on the history of his clients' ownership from purchase by a predecessor in title in about 1925, said that for many years it was not realized that any part of the government lot lay on the east side of the waterway, that the objectors claimed to be the owners of that part of the upland that the city claims to own by a Murphy Act tax deed issued in 1941, that he was ready to file suit if the Trustees denied his objection.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the objection be overruled and dedication to the City of Boca Raton of the advertised parcel be confirmed.

BREVARD COUNTY - Dredge Permit, Section 253.123 F. S.
Charles D. Crisafulli, C & C Development Corp., applied for permission to construct a navigation channel 50 feet wide by 5 feet deep by 1175 feet in length, to connect an existing canal

on applicant's upland in Section 3, Township 24 South, Range 36 East, Brevard County.

The Florida Board of Conservation biological study indicated that the dredge area was vegetated and if the proposed 50 foot wide channel were reduced to 30 or 40 feet, more seagrass could be conserved; also, for future projects in the shallow section of the Indian River a perimeter channel parallel to shore with periodic access channels to deeper water was suggested as an aid to navigation.

Staff recommended approval of a channel 40 feet wide by 5 feet deep to minimize damage to marine resources.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of dredge permit for the channel as recommended by the staff.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 F. S.
The Commanding Officer of Naval Air Station at Pensacola, Florida, applied for permit to perform maintenance dredging in the docking area between Piers 302 and 303 at the Naval Air Station in Pensacola Bay, Escambia County. The material removed was to be placed on the Navy's existing spoil area.

Staff requested waiver of the biological study as provided in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the dredge permit for maintenance dredging.

LEE COUNTY - Dredge Permit, Section 253.123 F. S.

Sunny Groves Mobile Home Park, represented by Duane Hall & Associates, applied for permission to connect an upland canal to the Estero River in Section 28, Township 46 South, Range 25 East, in Lee County.

The Florida Board of Conservation biological study indicated no objection to the project provided the canal banks were stabilized to avoid erosion and subsequent silting of the river.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the application subject to stabilization of canal banks to prevent erosion and siltation.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 F. S.

South Lake Worth Inlet District, represented by Gee & Jenson Consulting Engineers, Inc., applied for permit authorizing removal of 50,000 cubic yards of material from the middle shoal area east of the Intracoastal Waterway south of South Lake Worth Inlet in Lake Worth in Section 15, Township 43 South, Range 43 East, Palm Beach County. The material removed would be used to nourish a 1500 foot strip of beach in Sections 15 and 22, Township 43 South, Range 43 East, lying south of the South Jetty of the South Lake Worth Inlet.

The project was approved by the Florida Board of Conservation, Division of Beaches and Shores. Staff requested waiver of biological study as provided under Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the application for dredge permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123 F. S.

L. E. Avant, Jr., Division Engineer, on behalf of General Telephone Company of Florida, applied for permit to install a submarine cable crossing Lemon Bay between Fray Street in Englewood, Florida, and Manasota Key in Section 25, 35 and 36, Township 40 South, Range 19 East, Sarasota County.

The Florida Board of Conservation biological study indicated no adverse effects to marine life or habitats from the proposed work.

On motion by Mr. Williams, duly adopted, the Trustees approved the application for installation of submarine cable.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 F. S.

G. B. Prime, Division Engineer for Florida Power & Light Company of Daytona Beach, Florida, applied for permit for installation of two submarine cables across the Halifax River in Section 23, Township 14 South, Range 32 East, Volusia County.

Florida Board of Conservation biological report indicated that installation of the submarine cables across the river would not adversely affect marine resources in the area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved the application for dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 F. S.

William A. Cross, City Engineer of Ormond Beach, applied for permit for maintenance dredging in the city's existing boat basin and channel in the Halifax River south of the Ormond Bridge in Township 14 South, Range 32 East, Volusia County. All material removed would be placed on upland property.

Staff requested waiver of the biological or ecological study as provided in Section 253.123(3)(a) since the public needs would be served by the maintenance dredging.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees approved the application for dredge permit.

MANATEE COUNTY - Dredge Permit, Section 253.123 F. S.

Longboat Harbour Apartments, Inc., represented by Henry P. Trawick, Jr., applied for permit to temporarily connect a lagoon being

constructed on applicant's upland in Section 31, Township 35 South, Range 17 East, with Sarasota Bay in order to facilitate removal of an inoperative dredge and the moving in of another dredge to complete lagoon construction on the upland. An order of the Circuit Court in and for Manatee County required the inoperative dredge removed within 20 days from the date of the order, March 31, 1969. No removal of earth was required by the court order beyond the mean high tide mark nor any excavation that would lead to a disturbance of or interference with submerged lands belonging to the State of Florida. It was contemplated that the dredge would be hauled across the shallow submerged lands in a manner similar to that employed in bringing the dredge into the lagoon.

The inoperative dredge had filled with water and drew 4 feet; therefore, it was not possible to remove the dredge in the same manner in which it entered the lagoon. The material removed from the temporary lagoon connection would be placed on the applicant's upland until the dredge exchange was made, and upon completion the material would be replaced in the opening with sufficient material in addition to adequately dike the area to prevent silting of the offshore waters.

Applicant had an application pending to construct a navigation access channel to the upland. Staff recommended approval of temporary permit.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the temporary permit.

MONROE COUNTY - Fill Material To Be Advertised. On June 4, 1968, the Trustees deferred action on an application for permit by Charley Toppino & Sons, Inc., to mine rock from state-owned submerged land lying between Stock Island and Raccoon Key until the staff could report on the application. Title to the submerged area to be mined was retained by the state to provide a 500-foot wide public access channel. Inspection by the staffs of the Florida Board of Conservation and the Trustees indicated that a large amount of rock had already been mined, and stockpiled in the subject area, and some hauled away. The remainder of the stockpile contained an estimated 200,000 cubic yards of material. A study was under way to make a more accurate estimate of the amount of material removed and the amount remaining.

Two offers were received to purchase the material at 20¢ per cubic yard. A recent offer of 40¢ was made if the permit could be granted on June 3, 1969.

The staff felt that it was in the best interest of the state to have the material removed down to the original bottom contour. Staff recommended advertising for sealed bids to remove the stockpile within one year with the base bid of 20¢ per cubic yard, the bids to be received and opened at the Trustees' meeting scheduled for Tuesday, June 10, 1969. The Director said the material should be moved soon, but meeting legal requirements.

Mr. Adams said land sales required advertising for a longer period of time, but this was a state-owned commodity for which three days was sufficient and he thought anybody wanting to bid would be able to do so. He said the 40¢ per cubic yard offer might still hold for a few days. Governor Kirk said it was all right if the board was satisfied that sufficient time was allowed for getting realistic bidding.

On motion by Mr. Faircloth, duly adopted, the Trustees approved the staff recommendation to advertise for sealed bids, to be opened at the Trustees' June 10th meeting, for removal of the stockpile within one year, with 20¢ per cubic yard as base bid.

POLK COUNTY - The Trustees considered a resolution to be submitted to the U. S. Department of Health, Education and Welfare in support of the application by the Division of Corrections for transfer of a tract of 581.6 acres of land currently being used by the Division as the Avon Park Correctional Institution. The land had been declared surplus by the United States.

On motion by Mr. Christian, seconded by Mr. Conner and adopted unanimously, the Trustees approved the resolution.

LAKE COUNTY - Dedication No. 24252. The Board of County Commissioners of Lake County requested approval for the City of Tavares to include within its city limits a wayside park adjacent to State Road 500 in Lake Eustis, in order that the city may police and protect the site. The State Road Department had approved the request at its board meeting on May 22, 1969.

The Trustees dedicated the 12.07 acre parcel as a public wayside park and boat ramp under the supervision of the State Road Department in Dedication No. 24252 dated April 13, 1966.

On motion by Mr. Adams, seconded by Mr. Christian and adopted unanimously, the Trustees granted the request of the Board of County Commissioners of Lake County.

PINELLAS COUNTY - Dredge Permit. On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees waived the rules and considered an emergency request presented by the Director, for the removal of spoil material from Maintenance Spoil Area P-28 for use on a beach restoration project at Indian Rocks Beach in Pinellas County. The Director said the material at a previously designated spoil area was found to be unsatisfactory, and issuance of a dredge permit for the spoil island site was requested by the U. S. Army Corps of Engineers and approved by West Coast Inland Navigation District.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the application for dredge permit.

COASTAL PETROLEUM LITIGATION - Replying to Governor Kirk's question whether any review of the Coastal Petroleum matter was in order, Attorney General Faircloth advised that the state presentation was set for the scheduled hearing on June 12, 1969, the lawsuit was pending, the style of the suit had been changed to the Trustees of the Internal Improvement Fund, and he thought it was good to continue the suit.

The Governor asked Mr. Faircloth to review during the week the matter of dismissal of the suit and advise the Trustees.

SUBJECTS UNDER CHAPTER 18296

REFUNDS - Murphy Act Lands. The State Road Department declined to recommend release of state road right of way reservations contained in the following numbered Murphy Act deeds, for which releases had been requested and fees submitted:

Murphy Act Deed No.	Applicant	Refund
Dade 010-Ch. 21684	G. E. Hartwig	$10.00
Dade 2845 and 2846	Dubbin, Schiff, Berkman and Dubbin	30.00
Dade 3842	Dudziak, Dressler, Jaczynski, Gaer and Cunningham	10.00
Lake 275	Gaylord and Ray	10.00

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees authorized issuance of refunds as listed above, to the applicants for the releases.

DADE COUNTY - Murphy Act Corrective Deed, Report No. 954. Attorney Robert A. Koppen, on behalf of Roy V. Owens and wife, requested issuance of a supplemental corrective deed to correct the name of the grantee in original Dade County Deed No. 3065-EDDJ dated March 7, 1945. Grantee in the original deed was Ocean Bay Acreage Company, a Florida corporation, which was dissolved prior to the date of the said deed. Evidence was furnished showing the chain of title. On motion by Mr. Faircloth, seconded by Mr. Williams and adopted unanimously, the Trustees approved issuance of the supplemental corrective deed for $25.00 charge.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

6-3-69

Tallahassee, Florida
June 10, 1969

The Trustees of the Internal Improvement Trust Fund met this date in the office of the Governor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting of June 3, 1969.

BREVARD COUNTY - File No. 2150-05-253.12. On April 22, 1969, the Trustees considered an application from W. Sperry Lee on behalf of Wedgewood Enterprises, Inc., for purchase of 9.31 acres of sovereignty land in Newfound Harbor abutting Government Lot 4, Township 24 South, Range 36 East, Brevard County. Applicant offered $1,500.00 per acre for the land which was appraised at $200.00 per acre. The Trustees on April 22 authorized advertisement for objections, proof of publication of the notice was filed, and no objections to the sale were received.

The Board of Conservation biological survey report was adverse to development of the parcel. Adjacent submerged lands previously conveyed had been filled or were in the process of being filled. The bulkhead line was located offshore to accommodate the proposed North-South relief road on Merritt Island.

The Interagency Advisory Committee report confirmed the bulkhead line as located. In reviewing county bulkhead lines as requested by the Trustees, Brevard County had divided bulkhead line review into three zones; two zones had been reviewed and wherever practicable bulkhead lines were rolled back to the mean high water line, and the third zone was still under study.

Mr. Adams noted that while the county was taking action in areas recommended by the Interagency report, no bulkhead line changes had been brought back to the Trustees; that it appeared that approval of applications individually would be getting back to the finger fill situation. The Director said the bulkhead line applicable to this application was not changed, that it conformed to the Interagency report. A status report on the response of local governing bodies was ready for submission to the Trustees on this date. Mr. Adams said there might be areas in each county which had been reviewed and action taken pursuant to the Interagency report, not necessarily the whole county. He would not be in favor of sales in small, isolated spots which appeared inconsistent with the philosophy.

Mr. Christian said the agenda showed that this bulkhead line complied with Interagency recommendations, there was no change in the line, and to hold up one application because other sections of the county had not complied appeared unfair and he did not see the logic.

Governor Kirk expressed the feeling that since the Legislature had not provided any law and the counties were not responding, it might be in order to reimpose the moratorium.

Mr. Adams first asked for deferment, then withdrew that request and said he would vote against it.

Motion was made by Mr. Dickinson that the application be approved but there was no second to the motion.

On the vote of Messrs. Adams, Kirk and Williams against confirmation of the sale, and Mr. Christian's statement that he would not vote and was concerned at action which appeared unfair to the applicant and a hardship on the county, the sale was not confirmed.

DADE COUNTY - File No. 2094-13-253.12. On April 22, 1969, the Trustees considered an application from Stuart W. Patton on behalf of The Jockey Club, Inc., for purchase of 1.69 acres of sovereignty land in Biscayne Bay abutting Lot 25, Block 1; Lots 22 through 24, Block 2; and the lands lying between the bayward projection of Waterview Walk to the bulkhead line, Water View Park Subdivision, PB 9, p. 18, in Sec. 32, T 52 S, R 42 E, Dade County. Notice of sale was published in the Miami Herald, proof of publication filed and no objections were received.

On April 22 it was noted that the biological report showed that sale and subsequent development would not significantly or adversely affect marine life. Dade County had responded to the Trustees' request for review of bulkhead line locations in conformity with the Interagency Advisory Committee recommendations. The bulkhead line in the northern quarter of the county conforms to the Committee recommendations; for the southerly 50 miles, the bulkhead line was relocated by the county and is now under staff review.

Staff recommended sale for the appraised price of $22,151.90 per acre.

Governor Kirk pointed out that Dade County had not done what they said they would do, and Mr. Adams also spoke of the commitment of the county to revise bulkhead lines in the southern part of the county as recommended by the Florida Board of Conservation to preserve several mangrove areas.

Mr. Adams said his motion would be that the Trustees consider no more applications for sale, dredge and fill until Dade County complies with recommendations for that 50 miles. Answering Mr. Christian's question, the Director indicated that it should not take the county long, that they had submitted revised lines which just left gaps at those mangrove areas with the explanation that the county felt that was the best way to insure there would be no development - to set no bulkhead lines there. Thereupon Mr. Christian said he would second the motion.

Without objection, action on confirmation of the sale to The Jockey Club was deferred on Mr. Adams' motion.

MONROE COUNTY - File No. 2182-44-253.12. On April 22, 1969, the Trustees considered application from James T. Glass on behalf of Donald L. Wollard for purchase of a 0.25 acre filled parcel of

sovereignty land in Little Basin, Florida Bay, abutting fractional Section 32, Township 63 South, Range 37 East, Upper Matecumbe Key, Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed, and no objections to the sale were received.

The staff updated values from $425 to $833.33 per acre based on appraisal of a nearby parcel; included in the valuation was a penalty of $311 for filling the parcel without having first acquired title and secured a permit. The Director said the material had been trucked in, that the price was consistent with the policy on penalties as nearly as the staff could figure it, and he had discussed it with the Trustees' Subcommittee. Mr. Conner commented that it had to be cleared up and Mr. Christian made a motion for approval which died for lack of a second or any further action.

Mr. Adams raised a number of questions, particularly concerning the value for land on which the applicant had trespassed. He thought it should be appraised in its actual, present condition rather than sold at submerged land value with a penalty. He had heard that a party had advised clients to proceed to fill sovereignty land riparian to their ownerships as the state would sell at submerged land values.

Mr. Faircloth thought the Trustees had authority to assess very heavy penalties and as administrators of state sovereignty lands they could require after-the-fact fills to be paid for at their present values tripled. Governor Kirk suggested no sale but holding the land for park purposes.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the application be removed from the agenda, an appraisal of the improved parcel be secured and the penalty be determined later.

Mr. Conner said there would be some cases where innocent mistakes had been made, and some way should be worked out to dispose of those now pending and then let it be known that future cases would receive get-tough treatment.

Mr. William R. Roberts, attorney representing the applicant, said the application was an attempt to correct an honest mistake, that his client had been told he could not purchase last year during the moratorium, he was faced with going out of business and after consulting an engineer he had trucked in an estimated 1,555 cubic yards of material to permit hauling boats out to the water at his drydock, that he had made application when the moratorium was lifted.

Mr. Adams said the applicant must have known it was not his land, and the Governor said the law applies to Monroe County, too.

ST. LUCIE COUNTY - File No. 2136-56-253.12. On April 22, 1969, the Trustees considered application from Holiday Out of America, Inc., for purchase of a 3.8 acre parcel of sovereignty land in the Indian River abutting Government Lots 3 and 5, Section 11, Township 37 South, Range 41 East, St. Lucie County. The parcel was appraised at $600 per acre or $2,280.00 for the parcel. Notice of sale was published in the Fort Pierce News Tribune, proof of publication filed, and at the time of preparation of the agenda no objection had been filed. The Director said three telegrams of objection were received.

The county reconfirmed the bulkhead line in this area and by resolution adopted August 6, 1968, requested the Trustees to give "special consideration" to the application.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted unanimously, that sale of the advertised parcel be confirmed for the appraised price.

PALM BEACH COUNTY - Refund, File No. 994-50-253.12. On August 21, 1961, the firm of Brockway, Weber and Brockway Engineers, Inc., remitted a $50 application fee on behalf of Bloxham Land Company (File No. 994-50-253.12), the Trustees confirmed the sale, but applicant failed to remit the purchase price, and the application was placed in an inactive status.

On April 10, 1969, applicant's representatives indicated a desire to reactivate the application and were advised that it would be necessary to reprocess the application and submit the application fees now in effect.

Staff requested authority to refund $50 to Brockway, Owen and Anderson Engineers, Inc., successors to Brockway, Weber and Brockway Engineers, Inc.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees authorized that refund be made as requested.

LEE COUNTY - File No. 2202-36-253.12. Sunset Realty, represented by Earl D. Farr, Jr., made application to purchase two parcels of sovereignty land embracing 0.58 acres in Boca Grande Yacht Basin abutting Lots 17 through 34, Lots 36 through 65, and Lot 74, Block 24, Addition to Boca Grande, Plat Book 8, Page 48, Public Records of Lee County, lying in Sections 13 and 14, Township 43 South, Range 20 East, Gasparilla Island. The land was desired for real estate development of water front lots. Staff was of the opinion that the valuation of $9,650 per acre, total offer of $5,597, was a fair value for the subject land, being appraisal prepared in March 1969 for land bordering in the same subdivision.

The Florida Board of Conservation biological report was not adverse to development. The Interagency Advisory Committee reaffirmed the bulkhead line location. By letter dated February 5, 1969, the Lee County Commission indicated that they endorsed and confirmed all prior actions relating to bulkhead lines in the county, that the Commission believed that over the years it had followed good conservation practices relating to bulkhead line locations and would continue to apply the philosophy and policies suggested by the Trustees. The staff felt that Lee County has been in the forefront in carrying out the intent contained in the Randell Act. Through its advisory committee the County Commission has made careful investigation into proposed bulkhead lines, dredging and filling operations affecting marine biological resources. The staff recommendation was for advertisement for objections.

Mr. Adams said bulkhead line relocations had not come back to the Trustees for consideration, and he read portions of the Interagency Advisory Committee report which led him to believe there were sizable sections in Lee County that need relocation.

Governor Kirk summarized the discussion as calling for review and until such time as the county reviews, the Trustees take no action on individual applications.

On motion made by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees denied the application.

MONROE COUNTY - Consideration of bids for stockpiled material. On June 3, 1969, the Trustees authorized advertising for sealed bids for removal of a stockpile of limestone placed on state submerged land between Stock Island and Raccoon Key, with a minimum bid of 20¢ per cubic yard. Invitation to bid published in the Key West Citizen on June 5 and 6, 1969, called for sealed bids to be opened on this date.

While the three sealed bids received were being opened by the staff, the Trustees heard Mr. Joseph C. Jacobs, attorney, representing Mr. Philip C. Toppino, applicant in 1968 for the material, tell of correspondence from the Trustees' office pointing out the policy of the Trustees to set aside areas for public navigational channels and that 500 foot width channel between Raccoon Key and Stock Island dredged to a usable depth was contemplated. Mr. Christian and the Governor asked questions, whereupon Mr. Toppino answered regarding his contract for the Junior College, the 500 foot canal that had been dug by various parties who took fill for their uplands which he said was then the Trustees' policy - to give the fill for their land, the necessity for blasting said canal prior to the college construction. Mr. Toppino said the pile had been there since 1966, that he had not used material from the stockpile for the Junior College, the hospital or other jobs mentioned by Mr. Adams.

Since a recent staff investigation and photograph showed about 45,000 cubic yards removed from the stockpile, the Trustees directed the staff to continue the investigation. The Governor said it appeared that the state had been paying for moving its own land, and then paying for the land. Mr. Adams said the permit applied for by Mr. Toppino in 1968 was after-the-fact, that material had been removed from the stockpile and the Trustees depended on its staff to find out the facts.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees received report of the sealed bids which were (1) $.20 per cubic yard from Charley Toppino & Sons, Inc., (2) $.32 per cubic yard from J. F. Thompson, President, Allied Electrical Company, Inc., and (3) $.501 per cubic yard from William G. Stevens for the approximate 200,000 cubic yards. Mr. Christian asked the staff to check the possibility that some material might be needed for expansion of the Junior College, check on the conditions under which the property was filled and whether there had been proper authority for use and payment for state land. Mr. Adams suggested removal only to a height that would leave usable state land. It was suggested that the matter be held in abeyance for thirty days.

Mr. Stevens, the high bidder, said he had bid on all of the fill as advertised for removal within one year, but he indicated that he was not at this time depending on a time schedule or withdrawing his bid. Mr. Adams suggested that the Trustees accept the high bid contingent on the Commissioner of Education, the Director and the successful bidder trying to work out a program that would

allow use of part of the stockpiled material for the Junior College, if it was needed for expansion of the college.

Without objection, the Trustees accepted the high bid with the provision suggested by Mr. Adams. The STaff was directed to make a report within two weeks, if not a final report then an interim report of progress made on the investigation and the bid for removal of the material.

BISCAYNE NATIONAL MONUMENT - Correction of Minutes; Resolution. Staff requested authority to correct minutes of May 20, 1969, by deleting the names of the three Trusteees who did not execute the Biscayne National Monument Resolution, which had been signed by only four members but had been copied into the minutes prior to completion of its execution.

Motion was made by Mr. Dickinson, seconded by Mr. Williams, that the minutes be corrected. Mr. Dickinson said he could not sign the resolution as he felt under Florida law no one could apply for submerged land except the upland owner, and the Federal Government was asking the state to convey the submerged lands before they condemn the upland owners' lands. He said the Resolution, however, did not convey lands but established a price, in which case the statutes did not require five signatures. Mr. Dickinson said he was for the Monument but there seemed to be a difference of opinion as to what the Trustees could legally do, and litigation was probable.

Mr. Williams said he was not taking a position against the Monument but was not present on the date the Resolution was adopted. Governor Kirk said the Resolution could be recalled, and asked Mr. Williams to sign it.

Commissioner of Agriculture Conner said he hoped for protection for the private owners on Islandia which those in Everglades National Park had not had, that twenty years later some had not been compensated for their property within that Park area and might be denied access, that the Trustees should be diligent to protect the property owners. He advocated a simultaneous conveyance with a moratorium on the submerged lands as the approach that would avoid law suits.

The Governor said he was confident that protection to private owners had been extended by the Board, that the lack of five signatures would result in litigation with no buying or selling for a long time.

The Secretary of State said they had tried to work the problems out for several weeks, had had much advice, and four members of the Board felt it had been equitably resolved and voted in the affirmative on May 20, 1969, on the Resolution which the best Federal lawyers and State lawyers had determined was an adequate solution.

Attorney General Faircloth said the document was an agreement to a price of $1 when the Federal Government condemned the property, but that five signatures would be required for the actual conveyance. He and Mr. Conner thought that there would be litigation either way.

The Governor said the Federal procedure was different but he relied on its good faith, that the failure to have five signatures

increased possibility of litigation, that he was told about four million dollars had been contracted. Mr. Nathaniel P. Reed of the Governor's office added information regarding signed land contracts and other parcels anticipated to be contracted in the next three weeks. He explained the difficulty in appropriation for Everglades National Park was not with the Interior Department but Congressmen who felt the appropriation should not be increased.

Mr. Williams said that as he understood now the Federal Government was actually buying property and the owners could be assured of payment, he would execute the Resolution. He made a motion, seconded by Mr. Adams and adopted, that the minutes be corrected to show the Resolution signed by five Trustees. (Mr. Dickinson's and Mr. Conner's signatures will not be shown on the Resolution.)

BRADFORD COUNTY - Dredge Permit, Section 253.03 Florida Statutes. N. Watson Hardenbergh, Jr., applied for a permit to clean the weeds and muck from his property on Lake Geneva in Section 25, Township 8 South, Range 22 East, Bradford County, and tendered check for $50 as minimum payment for the material.

Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, subject to normal stipulations in the permit as to dredging.

On motion by Mr. Conner, seconded by Mr. Adams and adopted unanimously, the Trustees approved the application.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The City of Cocoa Beach, by its City Manager, Tom M. Sprowl, applied for permission to perform maintenance dredging in seven channels at various locations in Townships 24 and 25 South, Range 37 East, in Brevard County.

The Florida Board of Conservation biological survey indicated that proposed channel improvements would have minimal adverse effects on the marine life of the area provided the recommendations contained in the Florida Board of Conservation report are followed. The city relocated the spoil deposit areas to conform to the said recommendations.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, the Trustees approved the application.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Southern Bell Telephone & Telegraph Company, by Division Engineer J. T. Bayer, applied for permission to install a submarine cable across Sabine Inlet in Santa Rosa Sound in Section 18, Township 3 South, Range 29 West, Escambia County.

The Florida Board of Conservation biological survey report indicated that the proposed installation would not adversely affect marine life.

On motion by Mr. Adams, seconded by Mr.Faircloth and Mr. Dickinson, adopted without objection, the Trustees approved the application.

GULF COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Real Estate Division, U. S. Army Engineer District, Corps of Engineers, Mobile District, applied for permit authorizing maintenance dredging in the ship channel leading into St. Josephs Sound. The material removed will be placed in a non-vegetated adequately diked area in St. Joseph State Park (T. H. Stone Memorial) in Section 13, Township 7 South, Range 12 West, Gulf County. The Florida Board of Parks agreed to the placement of spoil on a one-time basis in the proposed spoil area.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes, since the public needs will be served.

On motion by Mr. Adams, seconded by Mr. Williams and adopted unanimously, the Trustees approved the application for maintenance dredging as requested.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Phillips Petroleum Company, by its District Engineer, J. W. Glidewell, applied for permission to construct a commercial dock on Watson Island, Biscayne Bay, in Section 31, Township 53 South, Range 42 East, Dade County. All required exhibits, including $100 processing fee, were furnished.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of state commercial dock permit.

HIGHLANDS COUNTY - Dock Permit, Section 253.03 Florida Statutes. Sunset Beach Motel, in care of James A. Heim at Avon Park, Florida, applied for a permit authorizing construction of a dock in Lake Jackson adjacent to its upland property in Section 32, Township 34 South, Range 29 East, Highlands County. All required exhibits, including $100 processing fee, were furnished.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of state commercial dock permit.

LEE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Florida Power and Light Company, Miami, Florida, applied for a permit authorizing construction of two (2) mooring cells and modification of an existing dock at Boca Grande in Charlotte Harbor in Section 35, Township 43 South, Range 20 East, Lee County. All required exhibits, including $100 processing fee, had been furnished.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of state commercial dock permit.

LEE COUNTY - Dredge and Fill Permit, Power Transmission Line in Township 46 South, Ranges 21 and 22 East. R. P. Sherling, Distribution Engineer, on behalf of Lee County Electric Cooperative, Inc., applied for permit to install an overhead electrical power transmission line across Pine Island Sound

between Pine Island and Sanibel Island, and to dredge material to be used in the construction of access roads for the construction and future maintenance of the transmission line on Pine Island and Sanibel Island. The project is in the public interest in that it will provide needed electrical service to Sanibel-Captiva Island complex.

The Florida Board of Conservation biological survey report indicated the dragline construction of the narrow work and maintenance roads would have only limited adverse effects on marine life and productive marine habitats if culverts, bridges, et cetera, are constructed in the road bed to maintain tidal circulation and drainage.

On motion by Mr. Williams, seconded by Mr. Conner and adopted unanimously, the Trustees approved the permit subject to inclusion of the recommendations for culverts, bridges, et cetera, in the instrument.

CITRUS COUNTY - Dredge Permit, Section 253.123 Florida Statutes
Norris Development Company of Homosassa, Florida, applied for permission to dredge a navigation channel 50 feet wide by 5 feet deep by 1217 feet in length, in Price Creek adjacent to applicant's upland in Township 19 South, Ranges 16 and 17 East, Citrus County. The material removed would be placed behind a dike on applicant's upland.

Florida Board of Conservation biological report indicated that dredging had previously occurred in the area, and a dike had been constructed along the shore line. The bottoms in the area consisted of mud and silt and construction of the proposed channel should not have adverse effects on marine life.

Staff on-site inspection indicated the applicant's own property bordering Price Creek had been dredged to construct a dike around the proposed upland spoil disposal area. However, applicant had failed to provide for lateral support between the upland and Price Creek. No biological damage had been caused by the dredging, however the waters at Price Creek now extend to cover the area of Norris Development Company's land dredged.

On motion by Mr. Williams, seconded by Mr. Adams and adopted unanimously, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - File No. 24957-44-253.124
Dredge and Fill Permits
The State Road Department requested issuance of dredge permit under Section 253.123 and approval of fill permit under Section 253.124, Florida Statutes, in connection with the construction of the new Bahia Honda Bridge. The Trustees on May 27, 1969, approved dedication of the submerged lands for right of way within a bulkhead line approved on May 20, 1969.

The Board of County Commissioners of Monroe County by Resolution No. 36-1969 requested issuance of dredge and fill permit.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and Mr. Adams, the Trustees unanimously approved the fill permit and authorized issuance of the dredge permit.

MONROE COUNTY - Easement for Dredge Area
The State Road Department requested temporary easement for two dredging areas to be used in the construction of the new Bahia Honda Bridge.

Easement No. 2369 was issued on the Trustees' authorization of March 25, 1969, but the Beaches and Shores Division of the Board of Conservation objected to one of the locations. The State Road Department located an alternate area and requested an amended easement. The Beaches and Shores Division concurred in the new location and staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted unanimously, that temporary easement for the two dredging areas be issued.

DUVAL COUNTY - Lease
The Consolidated City of Jacksonville had agreed to develop, operate and manage Lots 11, 12 and 13 of Daniels Addition to Mayport, acquired by Outdoor Recreational Development Council, for boat ramp and other outdoor recreational purposes under a lease agreement which provided for cancellation in event the city fails to maintain and use the property for three consecutive years as a public recreation facility. The said Council on January 28, 1969, authorized and requested the Trustees to enter into a lease with the city for use of the property as stated above. Lease was reviewed and approved by the Attorney General.

On motion by Mr. Christian, seconded by Mr. Adams and unanimously adopted, the Trustees approved the lease.

NASSAU COUNTY - Land Exchange
Florida Board of Parks and Historic Memorials on August 10, 1968, recommended an exchange of a small 0.26 acre parcel lying in Section 12, Township 3 North, Range 29 East, Nassau County, being a part of Fort Clinch State Park, for two parcels containing 0.26 acre owned by Ben Sorenson who agreed to reimburse the Park Board for its expenses in connection with the transaction. The exchange would straighten the park boundary.

The Nassau County Board of County Commissioners by Resolution adopted May 19, 1969, notified the Trustees that, pursuant to Section 253.111, Florida Statutes, it did not propose to devote the 0.26 acre parcel of park land for public outdoor recreational purposes.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the land exchange subject to title approval of the two parcels by the Attorney General.

TRUSTEES FUNDS - On October 22, 1968, the Trustees adopted the recommendation of the Cabinet Conservation Subcommittee which recommended that $250,000 of Trustees funds be set aside for use by the mean high water line committee to accomplish the purpose for which it was created, the funds to be disbursed as requested on action of the Trustees.

On March 25, 1969, the Trustees authorized the director to execute

an agreement with the U. S. Coast and Geodetic Survey on behalf of the Trustees of the Internal Improvement Fund and authorized expenditure of $125,000 of the above-mentioned funds during the current year on the cooperative agreement.

Coordination of the cooperative agreement was assigned to the Division of Geology, Florida Board of Conservation. Under the agreement the State of Florida coordinates plans and schedules, provides for installation, maintenance and monitoring of tide gauges, provides supplemental equipment for installation of tide gauges, provides for installation of bench marks at tide stations, and establishes levels between bench marks and tide gauges. The contract would include photographs and aerial photography.

Staff requested authority to transfer the remaining $125,00 of the committed funds to a special trust account to be held by the Board of Conservation for the purpose of defraying expenses involving State of Florida responsibilities under the cooperative agreement with U. S. Coast and Geodetic Survey.

On motion by Mr. Christian, seconded by Mr. Adams and adopted unanimously, the Trustees approved the transfer of funds as requested, for the purpose stated above.

TRUSTEES FUNDS - At the May 27, 1969, cabinet meeting the Trustees considered payment for services of attorneys hired by the Chairman pursuant to authorization by Trustees on April 22, 1969; and a bill for costs incurred thus far for the services of Mr. Dennis M. O'Connor, Professor of Law and Marine Sciences, and Mr. Allan Milledge, Attorney at Law, was requested to be submitted to the Trustees.

Itemized bill for consulting services in the matter of Drilling Lease No. 248 As Modified was submitted as follows: Mr. O'Connor, $2,113.17; Mr. Milledge, $3,949.53.

Staff requested authority to issue warrants in payment of the services.

Mr. Conner made a motion that the bill be received for the perusal of the Trustees. Mr. Williams seconded the motion.

Mr. Adams offered a substitute motion that the bill be paid. There was no second to the substitute motion.

On the motion made by Mr. Conner, seconded by Mr. Williams, the Trustees received the bill for perusal.

REPORT TO TRUSTEES - Compliance with Interagency Advisory Committee recommendations

In accordance with Trustees' instructions of June 3, 1969, the Director submitted a report which outlined action taken by counties, municipalities and other local public bodies having initial authority in establishing bulkhead lines, pursuant to the requirement of the Trustees motion adopted December 31, 1968, referring to Interagency Advisory Committee on Submerged Land Management Reports No. 1, No. 3 and No. 4.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Adams and unanimously adopted, the Trustees approved 11 regular bids for sale of land in St. Johns County under the provisions of Chapter 18296, the Murphy Act, Section 192.38, Florida Statutes, listed on Murphy Act Sale Report No. 955, and authorized execution of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

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Tallahassee, Florida
June 17, 1969

The Trustees of the Internal Improvement Fund met on this date in the office of the Governor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges — Director

On motion duly adopted, the Trustees approved minutes of the meeting of June 10, 1969.

Secretary of State Adams, commending the staff for the report submitted on June 10, 1969, that outlined action taken by counties and municipalities pursuant to the recommendations of the Interagency Advisory Committe Reports No. 1, No. 3 and No. 4, pointed out that the report indicated a lack of action by many local governmental agencies with respect to review of bulkhead lines. He said it was encouraging to see on the agenda several bulkhead line relocations as well as recommendations for deferment of applications where local action had not been taken.

BAY COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.
On motion by Mr. Faircloth, seconded by Mr. Adams and adopted, the Trustees waived the rules to consider an item which had not been placed on an advance agenda, because the bulkhead line was urgently needed by the State Road Department and Bay County for the construction of High Point Road across Williams Bayou, now Deerpoint Lake.

The Board of County Commissioners of Bay County by resolution adopted on June 3, 1969, fixed and located the bulkhead line in Williams Bayou in Section 6, Township 3 South, Range 13 West, Bay County. There were no objections at the local hearing.

The Florida Board of Conservation biological report indicated that Williams Bayou had been converted to a fresh water lake, and a biological study was not needed.

On motion by Mr. Faircloth, seconded by Mr.Adams and adopted, the Trustees approved the bulkhead line as located by Bay County.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.
The Board of County Commissioners of Lee County by resolution adopted July 17, 1968, fixed and located a bulkhead line adjacent to the property of Walter C. Groff in Section 23, Township 43 South, Range 20 East, Lee County. All required exhibits were furnished. There were no objections at the local hearing.

The biological survey report from Florida Board of Conservation indicated that the bulkhead line closely followed the mean high water line. Submerged lands within the line were unvegetated and the slope of the existing bottom was steep with no attached marine animals found there.

Lee County reconfirmed the bulkhead line by letter dated February 5, 1969. The line agreed with the recommendations of the Interagency Advisory Committee Report No. 1.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted, that the bulkhead line be approved.

SARASOTA COUNTY - Relocated Bulkhead Line.
The Board of County Commissioners of Sarasota County, sitting as the Sarasota County Water and Navigation Control Authority, by resolution adopted January 2, 1969, relocated and fixed a bulkhead line in Section 25, Township 40 South, Range 19 East, offshore in Lemon Bay. All required exhibits were furnished. One objector appeared at the local hearing.

The bulkhead line crossed submerged lands owned by the applicant which would preclude future development by dredging and filling of approximately 2 acres of those submerged lands. (See dredge, fill and dock permit applications by Donald D. Platt hereafter in these minutes.)

Biological survey report from the Florida Board of Conservation indicated no objection to filling of the areas within the proposed bulkhead line but suggested that seawalls or dikes be constructed before filling to prevent silting of adjacent grassy areas.

Sarasota County by letter dated May 22, 1969, indicated that the

bulkhead line along Manasota Key, relocation of which was recommended by the Interagency Advisory Committee, was in the process of being relocated.

Staff recommended approval since the area encompassed by the proposed bulkhead line was to be used for development of the first marina on the Intracoastal Waterway south of Venice, Florida, which was represented as badly needed.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted, that the relocated bulkhead line be approved.

CHARLOTTE COUNTY - File No. 2119-08-253.12, Land Sale.
On April 29, 1969, the Trustees considered application made by Leo Wotitzky on behalf of C. E. Kesselring to purchase a 0.23 acre parcel of sovereignty land in Lemon Bay abutting Lots 1 through 10 of Block 9, Chadwick Beach S/D, Plat Book 2, Page 17, public records of Charlotte County, Government Lot 3, Section 12, Township 41 South, Range 19 East, Charlotte County, for which the applicant offered $1,035.00 for the parcel for commercial development for a marina-motel complex.

Notice of sale was published in Punta Gorda Herald-Tribune, proof of publication filed, and two objections were received from parties who thought development of the parcel would impede navigation.

The bulkhead line very closely followed the mean high water line and the land applied for would smooth out a ragged shore line. The Board of Conservation biological survey report was not adverse to the project, dredging areas having been located to conform to recommendations.

The Interagency Advisory Committee confirmed the bulkhead line as located, and by letter of February 21, 1969, the county reaffirmed the bulkhead line as located.

Motion was made by Mr. Christian, seconded by Mr. Conner and adopted, that the Trustees confirm sale of the advertised parcel to the riparian upland owner at the price offered.

LEE COUNTY - File No. 2166-36-253.12, Land Sale.
On May 6, 1969, the Trustees considered application made by Duane Hall and Associates on behalf of Vaughn L. Hefner to purchase a 0.10 acre parcel of sovereignty land in Matlacha Pass abutting fractional Section 44, Township 44 South, Range 22 East, Porpoise Island, landward of the established bulkhead line in Lee County, for which the applicant offered $100.00, believed by the staff to be a fair price for the small parcel desired in order to preserve a row of planted coconut trees threatened by erosion.

Notice of sale was published in the Fort Myers News-Press, proof of publication filed, and no objections were received.

The Florida Board of Conservation biological survey report was not adverse to sale or proposed construction of a physical bulkhead to preserve planted coconut trees. The bulkhead line closely followed the mean high water line, and was approved by the Trustees on November 26, 1968 as an emergency due to the erosion.

Staff recommended that sale be confirmed on the basis of hardship, for the minimum charge of $100.00.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees confirmed sale of the parcel as recommended.

SARASOTA COUNTY - File No. 2019-58-253.12.
On January 28, 1969, the Trustees confirmed sale of a 0.93 acre parcel of filled sovereignty land abutting the upland of the applicant, Per A. O. Scheutz. It had been agreed on December 10, 1968, and confirmed on January 28 that a limited use and reverter provision be included in the instrument of conveyance. After thorough review of the Trustees' transcript and correspondence with the attorney for the applicant relative to the restrictive covenant, the office of the Attorney General had prepared a restrictive covenant and reverter provision which the Trustees were asked by the staff to consider and if appropriate, to authorize issuance of the deed.

Motion was made by Mr. Adams to approve issuance of the deed, but there was no second and no further action on the motion.

Governor Kirk objected to the wording in the proposed clause, calling attention to discussion on December 10 when he had stated that the parcel would be used for "nothing but lawn and trees" and the statements of the applicant's attorney that there would be no buildings constructed and no income produced from the parcel which would be used largely for park and landscaping to beautify the small parcel as an adjunct to the upland on which an apartment building was to be constructed.

The Trustees had agreed that there should be no building and after readvertising for objections only, the sale was confirmed on January 28 with the instrument of conveyance to contain limited use and reverter clause - which, as prepared by the Attorney General's office for consideration on this date, was as follows: "Provided, however, that this property shall not be used for any residential or commercial purposes, and no structures be built thereon except those that shall be designed for recreational or beautification purposes in conjunction with the use of the upland property." and "Further provided, that in the event of non-compliance with the aforestated covenant, said parcel shall automatically revert to the Trustees."

In answer to Mr. Christian's question, the Director said he did not think the staff had any detailed plan showing the proposed use of the parcel, that the matter might be deferred for further staff research if the Board desired. The Governor said he would hope the members would stay with the concept of only lawn.

The Trustees agreed that the matter would be held up at the request of the Governor.

MONROE COUNTY - File No. 2174-44-253.12 - To Be Advertised.
Application was made by the U. S.Department of the Navy for conveyance of a small parcel of filled sovereignty land abutting Pier B at Key West Naval Station containing 0.05 acre to be used in connection with naval docking facilities.

The parcel was filled some time subsequent to the enactment of

Chapter 57-362, Laws of Florida (Bulkhead Act). At the time of filling, public bodies were exempt from said Act. The applicant desired to clear the title by purchasing the subject parcel at the minimum charge, $100.00.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized advertisement for objections only.

LEE COUNTY - File No. 2201-36-253.12, Application for Advertisement. Earl D. Farr, Jr., representing Wyman M. Miller, applied to purchase a parcel of sovereignty land in Boca Grande Yacht Basin abutting Lot 35, Block 24 of Addition to Boca Grande, Plat Book 8, Page 48, Public Records of Lee County, lying in Section 14, Township 43 South, Range 20 East, Gasparilla Island in Lee County, to be used in conjunction with a home constructed on the uplands. The 0.015 acre parcel was valued at $9,650.00 per acre, the value placed on a contiguous parcel appraised on March 25, 1969. Applicant offered $144.75 for the small parcel.

The biological report from Florida Board of Conservation, prepared for consideration of the bulkhead line which was approved by the Trustees on May 21, 1968, showed that "development within this proposed bulkhead line will probably have no adverse effects upon marine resources of the area."

The Interagency Advisory Committee reaffirmed the bulkhead line location.

By letter dated February 5, 1969, the county indicated that they endorsed and confirmed all prior actions relating to bulkhead line locations. In accordance with Trustees' action last week on other applications, the staff recommended deferment until positive action has been taken by Lee County on bulkhead line relocations.

On motion by Mr. Adams and Mr. Faircloth (simultaneously), seconded by Mr. Conner, the Trustees deferred action until Lee County has taken action on relocations of bulkhead lines as recommended by the Interagency Advisory Committee report.

SARASOTA COUNTY - File No. 1945-58-253.12, Application for Advertisement.
Robert M. Johnson on behalf of Mario M. Lucci made application to purchase a 0.17 acre parcel of sovereignty land in Blackburn Bay abutting Section 22, Township 38 South, Range 18 East, Sarasota County, for the purpose of obtaining title to the sovereignty lands upon which a house had been constructed on pilings. Applicant offered $200.00 for the parcel, valued at the rate of $20,000 per acre.

Florida Board of Conservation biologist reported that since no dredging and filling, only ownership of the submerged land under and around the house on pilings, was desired, damage to marine life and habitat was apparently precluded.

The Trustees on March 26, 1968, approved the bulkhead line as relocated away from the mean high water line to enclose the house. The Interagency Advisory Committee reaffirmed the relocated bulkhead line.

By letter of March 3, 1969, Sarasota County advised that they were "pursuing the recommendation" that the bulkhead lines be relocated at the line of mean high water in Lemon Bay, and preparations for hearings on the subject were under way. The county has not reconfirmed bulkhead line location in Blackburn Bay. Staff recommended deferment until positive action by the county with reference to bulkhead line relocation.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees deferred action as recommended.

SARASOTA COUNTY - Dredge Permit, Section 253.123; Fill Permit, Section 253.124; Dock Permit, Section 253.03, Florida Statutes. Donald D. Platt applied for permits to dredge and fill, construct seawalls and a pier, for the purpose of building a marina in Lemon Bay in Sections 25 and 26, Township 40 South, Range 19 East, Englewood, Sarasota County. All required exhibits, including $100.00 processing fee for state commercial dock permit, were furnished. Bulkhead line for this project area was approved by the Trustees on this date.

Florida Board of Conservation biological survey reported no adverse effects in the areas to be filled or seawalled; however, the dredge area in Parcel No. 2 was densely vegetated and should be saved unless public interests dictate otherwise. Seawalls or dikes should be placed to prevent silting of adjacent grassy areas.

The county had requested consideration of this application for the development of the first marina on the Intracoastal Waterway south of Venice, Florida.

On motion by Mr. Dickinson, seconded by Mr.Adams and adopted without objection, the Trustees approved issuance of the three needed permits.

PALM BEACH COUNTY - Fill Permit, Section 253.124 Florida Statutes, File No. 24179 (1680-50) 253.124.
Hutcheon Engineers, Inc., representing Arthur Frogel, requested approval of a fill permit reissued by the Town of Palm Beach on June 2, 1969. A permit had been issued by the Trustees on October 5, 1966, and through oversight the permit expired. The District Engineer's permit SAJSP(66-431) for the project was still operative. Parcels contiguous to this parcel have currently valid fill permits approved by the Trustees, the most recent permit dated March 13, 1969.

No dredging was contemplated. The biological report was not adverse to filling. The Interagency Advisory Committee reaffirmed the bulkhead line as located. Palm Beach Area Planning Board had voiced no objections to contiguous fill project.

On motion by Mr. Adams, seconded by Mr. Conner and adopted without objection, the Trustees approved fill permit for the 0.17 acre parcel in Section 23, Township 44 South, Range 43 East, previously conveyed by the Trustees.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Application was made by Peoples Gas System, Inc., of North Miami,

Florida, for permit to install a subaqueous welded steel natural gas main in and across Biscayne Bay in Section 9, Township 53 South, Range 42 East, Dade County.

Florida Board of Conservation biological survey report indicated that the proposed installation along the 79th Street Causeway would have no adverse effects on marine life.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Southern Bell Telephone & Telegraph Co., Jacksonville, Florida, applied for permit to install a submarine telephone cable across Biscayne Bay in Section 9, Township 53 South, Range 42 East, Dade County.

The Florida Board of Conservation biological survey report indicated that the proposed submarine cable installation would have no adverse effects on marine biological resources.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the application.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Southern Bell Telephone & Telegraph Co., Jacksonville, Florida, applied for permit to install a submarine cable crossing Biscayne Bay between Key Biscayne Island and Coral Gables, Dade County. All required exhibits were furnished.

Florida Board of Conservation biological survey report indicated no adverse effects on marine biological resources from the proposed installation.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the application.

HIGHLANDS COUNTY - Dredge Permit, Section 253.03 Florida Statutes. W. S. Ewing of Sebring, Florida, applied for permit to remove 600 cubic yards of material from a canal 210 feet long, 36 feet wide and 5 feet deep, to be constructed in front of his property on Lake Istokpoga in Section 29, Township 35 South, Range 30 East, Highlands County. The material removed would be placed on his upland, and check in the amount of $60.00 was tendered in payment.

Florida Game and Fresh Water Fish Commission reported favorably on the project subject to standard stipulations as to dredging.

Staff recommended approval provided the bottom cut of the channel is reduced to 20 feet wide.

On motion by Mr. Adams, seconded by Mr. Conner and adopted without objection, the Trustees approved issuance of the dredge permit as recommended by the staff, with bottom cut reduced to 20 feet wide.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Florida Keys Electrical Cooperative Association, Inc., Miami, Florida, applied for permit to install buried concrete encased electrical ducts along U. S. Highway No. 1 across Whale Harbor and Snake Creek in Township 63 South, Range 37 East, and across Tavernier Creek in Section 33, Township 62 South, Range 38 East, Monroe County.

Staff requested waiver of the requirement for biological survey as provided by Section 253.123(3)(a) Florida Statutes, since the public interest would be served by the utility crossing.

On motion by Mr. Adams, seconded by Mr. Conner and adopted, the Trustees authorized issuance of the dredge permit.

POLK COUNTY - Dredge and Fill Permit, Section 253.03 Florida Statutes. The City of Lakeland, represented by City Manager Robert V. Youkey, applied for permission to remove 14,847 cubic yards of material from Lake Parker in Section 5, Township 28 South, Range 24 East, Polk County. Applicant tendered check for $1,484.70 for the material which would be placed on city uplands.

Florida Game and Fresh Water Fish Commission reported favorably on the proposed work, as did the Florida Air and Water Pollution Control Commission.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. E. W. Gautier, on behalf of King and Doan, Inc., applied for permit for a navigation channel 100 feet wide, 12 feet deep and 350 feet long to connect applicant's upland with the Intracoastal Waterway. The material removed would be placed on applicant's upland, and check for $1,300.00 was tendered as payment for the 13,000 cubic yards of material from the overcut.

A channel of that width was necessary to permit ingress and egress of sea-going vessels to a boat basin to be constructed in applicant's upland. The vessels would be used in connection with oceanography and water oriented industry.

The biological report from Florida Board of Conservation indicated that the proposed channel would have adverse effects on productive marine habitats, but that damage could be lessened by reducing the channel size to 50 feet wide by 5 feet deep, the usual size allowed by the Trustees for navigation channels.

Staff recommended approval of the width and depth applied for by the applicant.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of dredge permit for the channel as requested.

LEE COUNTY - Dock Permit, Marine Hoist and Railway. Granville W. Keller applied for permit for a marine hoist railway to transport boats between salt water across a dam to fresh water,

between Owl Creek and Trout Creek in Section 18, Township 43 South, Range 26 East, Lee County, for which all required exhibits and $100.00 processing fee were furnished.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the requested dock permit.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued a dock permit, subject to Trustees' approval, to Thomas Nicholson to construct a commercial dock in Clearwater Bay in Section 5, Township 29 South, Range 15 East, Pinellas County. All required exhibits, including $100.00 processing fee, were furnished.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the state dock permit.

POLK COUNTY - Dedication, File No. 2216-53-253.03.
The City of Lakeland, represented by J. Hardin Peterson, Jr., City Attorney, applied for dedication of 0.275 acre parcel of Lake Parker bottom land abutting Section 5, Township 28 South, Range 24 East, in the City of Lakeland, Polk County. The parcel 20 feet wide by 600 feet long was to be used for installation of sheet pile thermal separation wall with a pier being constructed on top of the wall, and was needed in connection with the cooling water system for the new city electrical generating station.

The Air and Water Pollution Control Commission and Florida Game and Fresh Water Fish Commission had no objection to construction of the wall and pier.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of dedication to the City of Lakeland with the usual public purpose covenant and non-use and reverter provisions.

PALM BEACH COUNTY - Disclaimer, File No. 2214-50-253.129.
John Moore and wife, represented by Brockway, Owen and Anderson Engineers, Inc., applied for a disclaimer pursuant to Section 253.129 Florida Statutes, for a 0.552 acre parcel of sovereignty land filled prior to the enactment of Chapter 57-362, Laws of Florida, abutting Lots 5, 6 and 7, Block "Q" of Prospect Park South, Plat Book 7, Page 60, Public Records of Palm Beach County, being a subdivision in Section 34, Township 43 South, Range 43 East, in the City of West Palm Beach, Florida. All necessary documents were submitted and the staff requested authority to issue the disclaimer for the usual $100.00 processing fee.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of disclaimer for $100.00 processing charge.

ALACHUA COUNTY - Fraternity Housing.
The Board of Regents requested the Trustees to convey title to Lot 5A of the Fraternity Area in Section 1, Township 10 South, Range 19 East, Alachua County, on University of Florida campus, to the Kappa Alpha Association of Florida, Inc., for a consider-

ation of $3,800.00 for construction of a housing facility. The proposed deed was approved by the Attorney General as to form and legality.

Title will be held by the fraternity subject to certain restrictions and reservations whereby, following established University policy, the property would be subject to University regulations and to repurchase by the Trustees in the event construction of a suitable house approved by the Board of Regents is not commenced within four years.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted, the Trustees approved the request from the Board of Regents and authorized issuance of the deed subject to the said restrictions and reservations.

OKEECHOBEE COUNTY - Grazing Lease. Glen Davis of Okeechobee, Florida, applied for three-year renewal of Grazing Lease No. 2206 which expired on June 1, 1969, covering a 53.64 acre tract of reclaimed lake bottoms in Lake Okeechobee in Section 5, Township 38 South, Range 35 East, Okeechobee County. The annual lease rental was $3.00 per acre, based on 1966 appraisal. The lease provided for cancellation by the Trustees after 90-day written notice.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of a new lease to Glen Davis on the same terms and conditions.

TRUSTEES' PERSONNEL - On January 14, 1969, the Trustees authorized the appointment of Mr. Fred Vidzes to the position of Acting Chief, Engineering Section. Concurrent with the named position, he was assigned the additional duties of Acting Chief Cadastral Surveyor and Acting State Swamp Land Selection Agent. No increase in salary was authorized.

The Director recommended that Mr. Vidzes be promoted to Chief, Engineering Section, Chief Cadastral Surveyor and State Swamp Land Selection Agent effective as of June 1, 1969, and that he be granted a salary increase to ten per cent (10%) above the minimum salary for the position as allowed by State Personnel Board Rules and Regulations.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted unanimously, that the recommendations be accepted as the action of the Board.

TRUSTEES FUNDS - Governor Kirk asked that action be taken on the matter of payment for services of attorneys which was deferred last week. It was not on the agenda, Mr. Hodges explained, because the request last week was to take it off for perusal and the staff had no instructions as to when to place it back on the agenda.

Mr. Conner suggested advice was needed in terms of a review of the bills and prevailing fees for legal services. Mr. Faircloth said he thought it might be reviewed by some Bar Association and if they found it was a resonable fee he would be willing to have it paid. As to certain other legal assistance, Mr. Faircloth said he had advised Mr. O'Connor that if his services were needed, they would call on him.

Governor Kirk said the Trustees could probably ask the Florida Bar Association to review the bills, that the work was very helpful.

Mr. Christian indicated there was something else to consider, that to his knowledge the men had not been legally employed by the Trustees. Governor Kirk said he understood his objection, it had been discussed, but his direction was as Chairman of the Trustees, and they were hired. Mr. Faircloth also expressed his difference of opinion on that, and said that a review of the bill and recommendation would not be binding on the Trustees assuming they decided it should be paid.

Governor Kirk asked for a report by next week.

Mr. Adams said that since one of the men had performed legal services for the Secretary of State, he would like it understood that bill for those services had been rendered and paid through his appropriations as had been requested.

Secretary of State Tom Adams handed to the Trustees copies of his memorandum dated June 17, 1969, to the Trustees of the Internal Improvement Trust Fund on the subject, "Bulkhead Lines and Related Trustees' Problems", in which he made recommendations to serve as guide lines for the Trustees' staff in the preparation and processing of agenda and in supplying information to local governing bodies.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Randolph Hodges
DIRECTOR

* * * * * * * * *

Tallahassee, Florida
June 24, 1969

The Trustees of the Internal Improvement Trust Fund met on this date in the office of the Governor with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Randolph Hodges	Director

On motion duly adopted, the Trustees approved minutes of the

meeting of June 17, 1969.

Governor Kirk said that since the executive director of the Board of Trustees of the Internal Improvement Trust Fund was to be appointed by the Governor and approved by other members of said board under the reorganization act, he appointed Mr. Ney Landrum to the position.

Commissioner Conner took the chair to preside during the nomination by the Governor and discussion which followed. There were no further nominations. Mr. Williams felt that qualifications of an attorney were required as matters dealing with lands were controversial and a great amount of legal assistance was needed, which had been expressed by Mr. Conner before he assumed the chair. Mr. Christian said it was a most controversial position, that Mr. Landrum was very capable and was doing a fine job as Outdoor Recreational Planning Committee Director which he would not like to see changed.

On the nomination made by the Governor, Messrs. Adams and Conner voted in the affirmative, Messrs. Williams and Christian negative. Attorney General Faircloth and Comptroller Dickinson were not present on this date. Mr. Adams called attention to the reorganization law which specified that the executive director of the board shall be appointed by the Governor with the approval of three members of the cabinet. There being only two members concurring with the Governor, the nomination failed to pass.

Further discussion during the meeting brought out the fact that under the new law Mr. Hodges is prohibited from serving in more than one agency, that Mr. Jim Smith, administrative assistant to Director Hodges for the past six months, is assigned solely to Trustees' work and will be able to prepare an agenda for the board, and that other qualified individuals will be considered for the position with the Trustees.

CAPITOL CENTER PROPERTY - Mr. Leo L. Foster, attorney representing Leon County Blood Bank, was present to make an offer to sell for $50,000 the Blood Bank property, part of Lot 3 Old Plan City of Tallahassee, fronting on East Gaines Street, which had been incorporated within the capitol center area. The volunteer officers of the organization planned to build a modern blood bank facility elsewhere with funds in hand and proceeds from sale of the Gaines Street property which had been appraised from $31,000 to $50,000, and Mr. Foster's instructions were to offer to sell to the state at the latter price. He said the property would be sold, if not to the state, to someone else.

Mr. Adams made a motion that the Director be authorized to secure a current appraisal. Mr. Conner seconded the motion which was adopted.

Mr. Foster said a current appraisal by a competent appraiser would be accepted, and he agreed when Mr. Christian added the provision "not to exceed $50,000", the offering price. Mr. Foster said the offer would hold until July 1 when changes under the reorganization go into effect. Mr. Adams said this board would still be sitting and while it might take a few days longer than July 1, the Director would proceed immediately to get an appraisal.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Brevard County by resolution adopted April 25, 1968, fixed and located a bulkhead line in the Indian River adjacent to and offshore from existing land on Merritt Island in Section 2, Township 25 South, Range 36 East, Brevard County. All required exhibits were furnished, and there were no objections at the local hearing to this bulkhead line which would close a gap of 325 feet between two existing seawalls.

The Florida Board of Conservation biological survey report indicated very little vegetation of value to marine resources and no shellfish, clams or oysters in the area.

Brevard County is in the process of relocating its bulkhead lines in accordance with recommendations of the Interagency Committee Report No. 1. Bulkhead lines in two areas on the advance agenda on this date had been relocated to mean high water except where submerged lands had previously been sold. The subject line in general followed the recommendation of the Interagency report.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved the bulkhead line as adopted by Brevard County on April 25, 1968.

MARTIN COUNTY - File No. 724-43-253.12(5), Land Sale. Mrs. Lillian Weisenberger, represented by William F. Crary, applied to purchase a 0.21 acre parcel of sovereignty land abutting Section 15, Township 37 South, Range 41 East, that had been filled between 1961 and 1962 during construction of causeway and bridge approach for State Road S-707-A over the Indian River. The Trustees have authority to dispose of such land under provisions of Section 253.12(5) Florida Statutes.

The applicant had paid for a current appraisal and accepted the appraised valuation of $10,952.38 per acre, or $2,300.00 for the parcel, which would be used to expand existing business facility.

A biological report was not applicable to filled land, and the two objectors who protested sale of submerged lands had been informed that the land is upland in character. Notice of sale had been published in the Stuart News, proof of publication filed.

On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees confirmed sale of the advertised parcel.

LEVY COUNTY - File No. 2213-38-253.12, Land to be Advertised. Robert W. Wigglesworth, on behalf of John P. A. Wilson, made application for a parcel of sovereignty land containing 4.59 acres adjacent to Main Ship Channel abutting Government Lot 1, Section 32, Township 15 South, Range 13 East, in the City of Cedar Key, Levy County, to be used in conjunction with enlargement of a marina. The staff had ordered an appraisal on June 10, 1969.

Florida Board of Conservation biological report was not adverse to development, remarking that submerged lands seaward of the present shoreline are unvegetated and do not contain oysters. The Trustees approved the city's comprehensive bulkhead line on April 15, 1969.

Director Randolph Hodges said he would like to advise the Board that the article in the newspaper was factual, that he was president

of the corporation that sold the upland for construction of a marina, that taxes had been paid on the submerged land for about fifty years and his family had five warranty deeds, but he had found that the submerged land had never been conveyed by the State of Florida.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized advertisement of the land for objections only.

GLADES COUNTY - File No. 2221-22-253.36, Land Exchange.
Robert Grafton, District Counsel of Central and Southern Florida Flood Control District, on behalf of M. Lewis Hall, applicant, requested a land exchange of Lake Hicpochee reclaimed lake bottom land abutting fractional Section 22, Township 42 South, Range 32 East, containing 8 acres abutting his uplands, for which applicant would convey 25 acres of marginal lands lying in Sections 26, 27, 34 and 35 to the Trustees and had also agreed to convey 25 acres of similar lands to the District and grant additional rights of way through his uplands to accommodate enlargement of Canal C-43 (Caloosahatchee Canal).

Central and Southern Florida Flood Control District by Resolution No. 866 adopted June 6, 1969, recommended that the Trustees enter into the land exchange.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized the exchange.

PINELLAS COUNTY - The Division of Mental Retardation requested approval and execution by the Trustees of a plat describing that certain tract deeded to the state by Pinellas County on October 3, 1967, for State Project 3703 - Regional Center for Mentally Retarded in St. Petersburg, Florida. Purpose of the plat was to eliminate all streets, alleys and rights of way in the 20 acres made up of small lots in a subdivision, in order to consider the property a single unit.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved the plat for execution subject to legal approval by the Attorney General.

PALM BEACH COUNTY - File No. 2187-50-253.03, Dedication.
On June 3, 1969, the Trustees authorized issuance of dedication of 2.92 acres of sovereignty land to the City of Boca Raton for construction of bridge, road, park and sewer lift station. On behalf of Nellie B. Harvey Winchester Phillips, et al, Mr. C. Robert Burns, attorney at law, filed suit in the 15th Judicial Circuit, Palm Beach County, to prevent the issuance of the dedication to the city.

The city and Mr. Burns entered into negotiations in an attempt to resolve the matter. By telegram of June 18, 1969, the city requested the Trustees to modify the authorized dedication to decrease the area, thereby dedicating only such land needed to accommodate the bridge and arterial road. City's special counsel, Mr. Sidney A. Stubbs, Jr., advised the Trustees' office by telephone that Mr. Burns would withdraw his suit against the city and Trustees if the city would obtain only such land needed for bridge and road purposes. By telegram dated June 18, 1969, Mr. Burns on behalf

of his clients agreed with the city's request.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized modification of the existing dedication in accordance with the request of Mr. Stubbs, special counsel for the City of Boca Raton. The instrument, as approved by the Attorney General, was executed by the Trustees present on this date.

GLADES COUNTY - Canal Right of Way and Spoil Area Easements. The Central and Southern Florida Flood Control District applied for easements for canal rights of way and spoil areas for Canal C-19 and Canal C-43 in Glades County, as follows:

1. Canal Right of Way Easement, Canal C-19. Right of way for said canal was granted on December 5, 1956, by Trustees Instrument No. 21433. Application was made for an additional easement abutting Canal C-19 covering 1.54 acre parcel (Parcel 356-D) in unsurveyed Section 28, Township 42 South, Range 32 East, Glades County.

2. Canal Right of Way Easement, Canal C-43, File No. 2222-22-253.03. Right of way for said canal was granted on September 20, 1933, to the United States. Application was made for additional canal right of way easement abutting Canal C-43 through Lake Hicpochee described as Parcel 334-B embracing 0.29 acre in unsurveyed Section 29, and Parcel 336-B embracing 0.29 acre in unsurveyed Section 30, all in Township 42 South, Range 32 East, Glades County.

3. Canal Right of Way Easement, Canal C-43, File No. 2223-22-253.03. Right of way for said canal was granted to the United States on September 20, 1933. Application was made for additional canal right of way easement abutting Canal C-43 described as follows: Parcels 356-1 and 356-2 embracing 10 acres and 17.03 acres, respectively, in unsurveyed Section 28; Parcels 430-1 and 430-2 embracing 1.14 acres and 5.91 acres, respectively, in unsurveyed Section 21; Parcels 451 and 451-A embracing 11.26 acres and 9.21 acres, respectively, in unsurveyed Section 22; All in Township 42 South, Range 32 East, Glades County.

4. Spoil Area Easements, Canal C-43, File No. 2224-22-253.03. Application was made for four (4) spoil area easements abutting Canal C-43 through Lake Hicpochee described as: Parcels 356-B-1 and 356-B-2 embracing 9.15 acres and 3.8 acres, respectively, in unsurveyed Section 28; Parcels 430-B-1 and 430-B-2 embracing 9.72 acres and 5.84 acres, respectively, in unsurveyed Section 21; Parcel 451-C embracing 12.13 acres in unsurveyed Section 22; All in Township 42 South, Range 32 East, Glades County.

5. Temporary Spoil Area Easements, Canal C-43. Application was made for thirteen (13) temporary spoil area easements abutting Canal C-43 through Lake Hicpochee described as follows: Parcel 334-C embracing 0.92 acre in unsurveyed Section 29; Parcel 336-C embracing 0.92 acre in unsurveyed Section 30; Parcels 356-A-1, 356-A-2, 356-A-3, 356-A-4, 356-A-5, 356-A-6 and 356-A-7 embracing 3.66 acres, 2.06 acres, 2.70 acres, 3.13 acres, 4.7 acres, 1.01 acres and 0.24 acre, respectively, in unsurveyed Section 28; Parcel 451-B-2 embracing 4.07 acres in unsurveyed Section 22; Parcel 430-A-2 embracing 3.24 acres in unsurveyed Section 21; Parcel 451-D

embracing 8.0 acres in unsurveyed Section 22; Parcels 356-E, 430-C, 451-E and 440 embracing 0.51 acre in unsurveyed Section 21, 24.28 acres in unsurveyed Section 22, 1.28 acres in unsurveyed Section 27, and 9.12 acres in unsurveyed Section 28, All in Township 42 South, Range 32 East, Glades County.

Florida Game and Fresh Water Fish Commission offered no objection to the projects involving the above described land.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easements requested by Central and Southern Florida Flood Control District.

HILLSBOROUGH COUNTY - Extension of Fill Permit, Section 253.124 Florida Statutes, File 1931-29-253.124 (Apollo Beach Development). Lawrence J. O'Neil on behalf of Francis J. Corr, Paul B. Dickman and Robert E. Lee & Co., Inc., applied for a time extension of an existing fill permit issued by Hillsborough County on June 19, 1967, and approved by the Trustees on July 11, 1967. At the time the permit issued the law provided that fill permits expired after two years from date of issuance, and the existing permit is due to expire on June 19, 1969. However, the Corps of Engineers delayed issuing the federal permit for nine (9) months, cutting short actual working time to fifteen (15) months.

The Director asked that this matter be removed from the agenda for further investigation.

Governor Kirk asked for comment by Mr. Nathaniel P. Reed of his office, who said the United States had taken exception to the case and considered it important that their objections be considered. The Director added that some violations had been reported which would be investigated.

Without objection, the application was removed from the agenda for investigation by the staff.

DADE COUNTY - Dredge Permit, Beach Nourishment, Section 253.123 Florida Statutes, File No. 306. Fred W. Maley, Acting Village Manager of Bal Harbour Village, applied for permit to remove 123,000 cubic yards of material from Biscayne Bay in Section 26, Township 52 South, Range 42 East, Dade County, for a beach nourishment project approved by the staff of Florida Board of Conservation.

This matter was approved in the meeting of the Board of Conservation on this date. There was no objection to the proposed borrow in the Atlantic Ocean in water depths of approximately -20 MLW. The Board of Conservation had previously recommended offshore ocean borrow areas rather than shallow vegetated waters in bays and sounds.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the application for dredge permit.

DADE COUNTY - Dredge Permit, Section 253.123, Permit No. 293.

Peoples Gas System, North Miami, Florida, applied for permit to install a subaqueous welded steel natural gas main across Biscayne Bay adjacent to Bridge No. 84, 79th Street Causeway, North Bay Village, in Section 9, Township 53 South, Range 42 East, Dade County. All required exhibits had been furnished.

The Florida Board of Conservation biological survey report indicated no adverse effects on marine biological resources.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the application for dredge permit.

PALM BEACH COUNTY - Dredge Permit, Material to Improve Uplands. Florida State Road Department applied for permit to remove 70,391 cubic yards of material from within the Intracoastal Waterway right of way in Section 9, Township 47 South, Range 43 East, Palm Beach County, for use in the construction of North 40th Street in Boca Raton. All required exhibits were furnished.

Staff requested waiver of requirement of biological study as provided under Section 253.123(3)(a) Florida Statutes, since the needs of the public would be served.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees approved the dredge permit for the State Road Department.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes, Permit No. 297.
Florida Power Corporation of St. Petersburg, Florida, applied for permit to install a submarine cable crossing the Intracoastal Waterway in Boca Ciega Bay from the east end of Structure "C" Pinellas Bayway to Vina Del Mar in Section 8, Township 32 South, Range 16 East, Pinellas County. All required exhibits were furnished.

The Florida Board of Conservation biological study report indicated that the proposed installation would have no adverse effects on marine biological resources.

On motion made by Mr. Christian, duly adopted, the Trustees approved the application for dredge permit for the submarine cable installation.

ST. LUCIE COUNTY - File No. 2136-56-253.124; Dredge Permit, Section 253.123; Fill Permit, Section 253.124 F. S.
Holiday Out of America, Inc., represented by George W. Sommer, applied for approval of a fill permit issued by the Board of County Commissioners of St. Lucie County on May 28, 1968, by Resolution No. 68-59, and requested issuance of a dredge permit under provisions of Section 253.123 Florida Statutes. The developer contemplates utilization of 60,000 cubic yards of material from state-owned bottoms to fill a parcel, sale of which was confirmed by the Trustees on June 10, 1969.

The biological survey report submitted by the Florida Board of Conservation on January 31, 1968, in conjunction with establishment of the bulkhead line, was not adverse to dredging and filling related to development.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Trustees approve fill permit and issuance of dredge permit upon receipt of payment in the amount of $6,000 for the fill material.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes, Permit No. 294.

Florida Power and Light Company, Daytona Beach, Florida, applied for permit to install a submarine cable crossing the Halifax River in Daytona Beach in Section 27, Township 15 South, Range 33 East, Volusia County. All required exhibits had been furnished.

Florida Board of Conservation biological study report indicated no adverse effects on marine biological resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved the application for dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes, Permit No. 295.

Florida Power and Light Company, Daytona Beach, Florida, applied for permit to install a submarine cable crossing the Halifax River in Daytona Beach in Section 5, Township 15 South, Range 33 East, Volusia County. All required exhibits had been furnished.

Florida Board of Conservation biological survey report indicated no adverse effects on marine biological resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved the application for dredge permit.

BAY COUNTY - Dock Permit (Marina), Section 253.03 Florida Statutes, and Dredge Permit, Section 253.123 Florida Statutes.

Lelon Marcum of Panama City, Florida, applied for permit to repair and to alter an existing dock by adding 10 covered boat slips, and to redredge a boat basin and access channel 50 feet wide by 5 feet deep by 70 feet long to the Intracoastal Waterway in West Bay adjacent to applicant's upland property in Section 28, Township 2 South, Range 16 West, Bay County. The material removed from the dredging would be deposited on applicant's upland. All required exhibits including $100 processing fee had been furnished.

The Florida Board of Conservation biological survey report indicated that the submerged land was sandy and unvegetated, and this project should not have significant adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the dock and dredge permits.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes.

Wilbur M. Snider of Surfside, Florida,applied for permit for the construction of a dock in Indian Creek at 6770 Indian Creek Drive in Township 52 South, Range 42 East, Dade County. All required exhibits including $100 processing fee for state commercial dock permit had been furnished.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the state dock permit be issued.

MARTIN COUNTY - Dock Permit, Section 253.03 Florida Statutes. Dean Development Co., Inc., applied for a permit to construct a 150-ft. extension of an existing dock in the St. Lucie River at Stuart, Florida, in Section 3, Township 38 South, Range 41 East, in Martin County. All required exhibits, including $100 processing fee for state commercial dock permit, had been furnished.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees approved the application for dock permit.

TRUSTEES FUNDS - On June 17 the Governor asked for a report on this date concerning Florida Bar Association's review of the bills for legal services submitted by Mr. Dennis M. O'Connor and Mr. Allan Milledge in connection with Drilling Lease No. 248 As Modified.

The Director said that a letter from Mr. Marshall R. Cassedy, Executive Director of Florida Bar Association, advised that the request for review of the bills was submitted at their meeting on June 21, 1969, and if desired by the Trustees, they would submit a list of responsible lawyers who would be in position to carefully review and evaluate the statements for professional services rendered.

Mr. Conner was not in favor of paying such a large amount unless the Trustees followed the suggestion of the Florida Bar Association.

Mr. Adams said they had made a mountain out of a mole hill, that the amount involved for the recommendations contributed by the two attorneys which had been accepted by the voiding of the lease, was acceptable in view of the total value of the state natural resources involved.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted on a vote of three to two, that the bills for services received be paid. Messrs. Christian and Conner voted "No".

Secretary of State Tom Adams said the memorandum he had distributed last week on several items he considered important on processing bulkhead lines, policies on sales, dredging, fill permits, and authorizing the staff to use discretion to determine which counties were making sufficient progress, also illegal dredge matters, had been discussed with the Attorney General's office. The recommendations had been reduced, he said, to such form that they could be considered by the Trustees when desired, in order to clarify some areas so that the staff could proceed.

Mr. Christian said he was in favor of it and would like to have it on the agenda of the next meeting. It was so ordered.

DADE COUNTY - File No. 2094-13-253.12. Land Sale.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the rules were waived to allow further hearing of an application

by The Jockey Club, Inc., to purchase 1.69 acres of sovereignty land in Biscayne Bay abutting Lot 25, Block 1; Lots 22 through 24, Block 2; and the lands lying between the bayward projection of Waterview Walk to the bulkhead line, Water View Park Subdivision, Plat Book 9, Page 18, in Section 32, Township 52 South, Range 42 East, Dade County. When the Trustees considered the application on June 10, 1969, action was deferred pending action by Dade County on review and revision of county bulkhead lines.

Representing the applicant, Mr. William J. Roberts, attorney, asked to be heard. Secretary of State Tom Adams said that he had asked for this item to be deferred, feeling that Dade County was guilty of inaction on bulkhead lines, but the applicant had been held up by the moratorium a year ago and now their development, which was ready to proceed, appeared to have become a whipping boy for matters not under their control.

The Director explained that there were three appraisals, viz. $3,400 per acre, $22,151.90 per acre, and $7,840 per acre.

When the rules were waived for consideration of this matter, Mr. Williams had made a motion for approval, seconded by Mr. Christian. This motion was now withdrawn in view of the wide difference in appraisals. The Director suggested the three appraisals be averaged. Mr. Christian said the Trustees should receive the highest price, and he and Mr. Conner suggested that another appraisal be secured which Mr. Roberts said the applicant would be bound by but had offered to pay the averaged amount.

Governor Kirk expressed dissatisfaction with valuations made for the state being so widely divergent and asked if the applicant would not pay the highest appraisal price. There was discussion of the appraising procedure for state sovereignty lands which appeared to have problems.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the Trustees confirm sale to The Jockey Club, Inc., at the highest appraisal, $22,151.90 per acre. Mr. Roberts said his client would accept that.

On motion duly adopted, the Trustees' meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: DIRECTOR

* * * * * * * * *

6-24-69

Tallahassee, Florida
July 1, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Jim Smith	Administrative Assistant

Governor Kirk appointed Mr. Ney C. Landrum as Executive Director of the Trustees, with the concurrence of three other members of the Board, Mr. Adams, Mr. Faircloth and Mr. Conner. Recorded as voting "No" were Mr. Christian, Mr. Williams and Mr. Dickinson.

Under the provisions of the reorganization act, Mr. Landrum's appointment passed and as of July 1, 1969, he became Executive Director.

The minutes of the meeting held on June 24, 1969, were approved as submitted.

VOLUSIA COUNTY - Bulkhead Line.
Without objection, the rules were waived for consideration of a bulkhead line which had not previously been listed on an advance agenda.

The Board of County Commissioners of Volusia County by resolution adopted on June 19, 1969, fixed and located a bulkhead line along the west right of way line of the Intracoastal Waterway and closely following the mean high water line. All required exhibits had been furnished and there were no objections at the local hearing.

The biological report from the Florida Board of Conservation had indicated that the proposed bulkhead line would not adversely affect marine resources in the area.

Although the plat submitted to the Trustees was accurate, the county's resolution and the newspaper notice were technically inaccurate as to the location of the proposed bulkhead line. However, the Clerk of the Circuit Court of Volusia County advised the Trustees' office by telephone on June 26 that a corrected resolution was being forwarded to correct the scrivener's error in the resolution.

Because the only other affected land owner, adjacent to Mr. Ross O. Sullivan who had applied for the establishment of a bulkhead line, had signed a letter declaring her knowledge of the actual bulkhead line location, full notice to her thereof, and no objection thereto, the staff recommended approval subject to subsequent correction of the scrivener's error in the county's resolution.

Mr. Smith said the Volusia County Commissioners were working on their bulkhead lines, of which they had very few, and that the subject line was considered as somewhat of an emergency action. It was noted that everything was in order for approval.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that the Trustees approve the bulkhead line as recommended by the staff.

DADE COUNTY - Bulkhead Line, City of Coral Gables.
The Commission of the City of Coral Gables by Resolution No. 14579 unanimously passed and adopted February 11, 1969, confirmed the existing bulkhead line within the city limits and further requested that the Trustees permit the bulkhead line to remain in Coral Gables as established by Ordinance No. 1403 adopted on April 28, 1964.

Mr. Smith indicated on a map the bulkhead line which was the old Harbor Line established in 1964, approved by the Trustees, and landward of which a number of sales had been made - some back in 1925.

The Interagency Committee Report recommended relocation of the bulkhead lines in this area to the mean high water line. Staff recommended denial of the request contained in the city's resolution, since the bulkhead line was not in accordance with the Interagency Committee recommendation.

Mr. Christian felt that the Trustees might be involved in repurchase of land or litigation. Mr. Adams said these were matters yet to be resolved, that the city asked the Board to reconfirm the old line, that the Trustees could not change the line.

Mr. Adams made a motion that the request of the City of Coral Gables be denied, which was adopted without objection.

Mr. Marion E. Sibley, representing Gables By The Sea, Inc., who was shown on the agenda as requesting to be heard in connection with a dredge and fill application in Biscayne Bay within the City of Coral Gables, made statements concerning his application for a dredge and fill permit in Coral Gables, his request to be heard which he said the staff had denied, but he insisted that the Board could not deny his client's rights to be heard; and he asked that his application be considered on a subsequent date and the action on the Coral Gables bulkhead line be deferred. He said disapproval was futile, the Trustees could not change the bulkhead line, and indicated that because the Interagency Committee recommendation was not accepted by the city did not give the Board the right to set aside the city's bulkhead line.

Mr. Adams explained that there was no intention to deny anyone a hearing, that the staff had been told that the Board would not entertain applications for dredge and fill permits behind bulkhead lines at variance with Interagency reports unless the local governmental agency was making satisfactory progress in reviewing such lines, that the Board could not change the bulkhead line but the city was asking for reaffirmation of the original bulkhead line which was at variance with the Interagency report. He said Mr. Sibley would be heard now or at a later date, but he would not approve the application as he understood it.

Governor Kirk commented that the old bulkhead line was one thousand feet and more offshore, and the city's request had been denied.

The other members also indicated that the Board had never denied anyone an opportunity for a hearing, and on motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the matter was scheduled to be placed on the agenda for the meeting of July 15, 1969.

DADE COUNTY - File No. 2152-13-253.12, Land Sale.
On May 13, 1969, the Trustees authorized advertisement for objections only of a parcel of sovereignty land in Dumfoundling Bay abutting Section 2, Township 52 South, Range 42 East, Dade County, containing 0.545 acre, more or less, applied for by S. Lee Crouch on behalf of Robert Gould for the purpose of blocking up an area between previous submerged land purchase and existing established bulkhead line. At the rate of $1000 per acre, the total offer for the parcel was $545.00.

The biological report was adverse to development of the parcel. However, on January 28, 1969, the Trustees had authorized issuance of a dredge permit to excavate 425,000 cubic yards of material from Dumfoundling Bay to Mr. Gould and in view of the extensive dredging proposed, sale and development of the 0.545 acre parcel should not have any significant effect upon biological resources.

The Interagency Advisory Committee Report No. 1 confirmed location of the bulkhead line, and no objections were received to the sale which was advertised in the Miami Beach Sun for four weeks, proof of publication filed in the Trustees' office.

Pursuant to Trustees' action on June 10, 1969, directing deferment of all applications in Dade County, the Staff recommended deferment. But Mr. Crouch, attorney for the applicant, was present and asked to be heard. He explained that the application, pending since September 1968, involved a small hiatus between the existing bulkhead line and a sale previously made on which fill permit had been granted, that the application had been deferred several times and to leave this one small parcel out would constitute a hardship.

There was discussion of the similar application approved last week, which, however, had not been on the agenda. The Governor said the Board was trying to get Dade County to take action on its bulkhead lines.

Motion was made by Mr. Christian that the sale be confirmed. Mr. Dickinson seconded the motion which was adopted with five affirmative votes (required for a land sale). Governor Kirk and Mr. Adams voted "No".

HIGHLANDS COUNTY - Dredge Permit, Section 253.03 F. S.
Mr. Ed J. McEnany applied for permission to dredge approximately 65 cubic yards of material from an existing canal along the front of his property on Lake Istokpoga in Section 33, Township 35 South, Range 30 East, Highlands County. He tendered check in the amount of $50.00 for the material removed, to be placed on his upland property.

Florida Game and Fresh Water Fish Commission report on the project was favorable subject to the usual stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the permit.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Granville W. Keller applied for permission to perform maintenance dredging to remove silt from an existing channel in Sections 18 and 19, Township 43 South, Range 26 East, in the Caloosahatchee River in Lee County. The material would be placed on applicant's upland behind dikes.

The Florida Board of Conservation biological report indicated that removal of the silt to provide depths necessary for large pleasure crafts at low water would not adversely affect marine resources in the area.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the permit.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Yacht and Country Club of Stuart, represented by Heiman and Crary, attorneys, applied for permit to construct a navigation channel 100 feet wide, 5 feet deep and 600 feet long to connect Crooked Creek with Manatee Creek in Martin County.

Applicant tendered check for $267.70 as payment for the 2,677 cubic yards of material to be dredged from the overcut and deposited on applicant's upland.

The Florida Board of Conservation biological report indicated that the offshore submerged lands in the area were heavily silted, and while destruction of the few red mangroves near shore would not be in the best interest of conservation, the proposed channel would provide access to an existing interior waterway.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees approved issuance of the permit.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123 F. S. Mr. F. W. Sherrill, Squirrel's Tent City Camp Grounds, in Gulf Breeze, Florida, applied for a permit for maintenance dredging to remove silt in an existing bathing beach area in Santa Rosa Sound in Sections 29 and 32, Township 2 South, Range 27 West, Santa Rosa County. The material was to be placed on the applicant's upland property.

The Florida Board of Conservation biological report indicated that it was a sandy, unvegetated area except for a small amount of Cuban shoalgrass in the southeast corner and the project should not have significant adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved issuance of the permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Attorney William C. Strode on behalf of The Field Club, Sarasota, Florida, was granted a maintenance dredging permit by the Sarasota County Water and Navigation Control Authority, subject to Trustees' approval, for maintenance dredging to restore the existing 650 ft. by 50 ft. channel to its original depth of -5 MLW. Approximately 1000 cubic yards of material would be removed from the existing channel and placed on applicant's upland.

Governor Kirk asked about payment for the material, and Mr. Smith advised that no payment was received unless there is overdredging (more than the standard 50 ft. wide and 5 ft. deep), that applicant is required to provide spoil area for the dredged silt, and the conservation report indicated no damage provided the spoil was placed on adequately diked areas to prevent silting damage to marine resources in the area.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the permit for dredging in Sarasota Bay in Section 6, Township 37 South, Range 18 East, Sarasota County.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Ross O. Sullivan applied for permit to remove 300 cubic yards of material from the Indian River North in Section 2, Township 18 South, Range 34 East, Volusia County, for deposit on his upland property. He tendered check for $50 as minimum payment for the material.

The conservation report indicated that the narrow dredging area immediately offshore from the proposed seawall would not adversely affect marine resources.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved issuance of permit to dredge the fill material.

PALM BEACH COUNTY - Maintenance Spoil Area Easement. The United States Corps of Engineers, Jacksonville District, requested a maintenance spoil area embracing approximately 6.9 acres of sovereignty land in the Atlantic Ocean abutting Section 32, Township 40 South, Range 43 East, Palm Beach County, needed in connection with maintenance dredging of the Intracoastal Waterway at the confluence of the Loxahatchee River, the Waterway and Jupiter Inlet.

Staff recommended approval subject to the District Engineer securing necessary easements from upland owners.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the staff recommendation was accepted as the action of the Board.

PALM BEACH COUNTY - A report had been submitted to each of the Trustees concerning dredging of Boca Raton Inlet by Arvida Corporation. An investigation had been made, following a report received on April 17, 1969, from the Deputy Mayor of Boca Raton that said corporation was in violation of permit approved by the Trustees on April 1, 1969. Resolutions protesting the dredging were received from Broward County and the Town of Hillsboro Beach.

Summarizing the investigation report, there was a technical violation of the dredge permit, however the rock that was deposited on the upland would not have been suitable for deposit on the beach and had been pumped onto the applicant's upland although not needed and might have to be removed in the future, all the sand could not be separated from the rock but sand suitable for placement on the beach will be placed into the tidal zone at the appropriate time, successful maintenance dredging of the channel

in the Boca Raton Inlet has been accomplished at the expense of Arvida Corporation constituting a commendable public service.

Staff recommended that the permit approved on April 1, 1969, and issued to Arvida Corporation on April 18, 1969, be amended as appropriate to permit actions recommended by the Director of the Division of Beaches and Shores and agreed to by representatives of the Arvida Corporation.

Mr. Adams commented on the maintenance dredging done by Arvida at their own expense and the favorable report before the Trustees for consideration. On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized amendment of the permit as recommended.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes. Mr. Ben Marler, Jr., applied for a commercial dock permit for construction in Old East Pass Lagoon, Marina Point Military Reservation, Township 2 South, Range 22 West, Okaloosa County. All exhibits including $100 processing fee had been furnished.

On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees approved the application.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority approved the following commercial dock permits, subject to approval by the Trustees:

H. F. Hallock, Treasure Island, Florida, for a commercial dock in Boca Ciega Bay, Lots 14 and 15, Block F, Isle of Palms;

Fair, Inc., Treasure Island, Florida, for a commercial dock adjacent to Lots 17, 18, 19 and 20, Block B, Capri Isle in Boca Ciega Bay.

All required exhibits including $100 processing fee were furnished for each application.

On motion by Mr. Christian, duly adopted, the Trustees approved issuance of the dock permits.

BAY COUNTY - Right of Way Easement, File 2226-03-253.03. The State Road Department requested dedication of right of way across 1.83 acres of bottom lands in Williams Bayou in Section 6, Township 3 South, Range 13 West, Parcel No. 110.1, High Point Road, Section 46656-2601, in Bay County.

The bulkhead line was approved June 24, 1969. The area is now fresh water lake, artificially created (Deerpoint Lake).

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of a dedication to the State Road Department.

GLADES COUNTY - Canal Right of Way and Temporary Construction Area Easements.
The Central and Southern Florida Flood Control District applied

for easements for canal rights of way and temporary construction area for Canal C-43, Section 5-B, as follows:

1. File 2227-22-253.03, additional right of way easement abutting Canal C-43 in the vicinity of the Town of Moore Haven. Said canal right of way was granted on September 20, 1933, to the United States. Parcel 436 embracing 0.31 acre in NW¼ of SW¼ of Section 12, Township 42 South, Range 32 East, is a part of a spoil easement granted on September 18, 1935, to the United States.

   The United States proposes to enlarge the canal and requires additional canal rights of way.

2. File 2228-22-253.03, additional right of way easement abutting Canal C-43 in the vicinity of the Town of Moore Haven. Said canal right of way was granted on September 20, 1933, to the United States. Parcel No. 464 embracing 0.3 acre lies in NW¼ of Section 12, Township 42 South, Range 32 East.

3. Temporary Construction Area Easement abutting Canal C-43 in the vicinity of the Town of Moore Haven. Parcel No. 464-A embracing 0.1 acre lies in NW¼ of Section 12, Township 42 South, Range 32 East.

On motion by Mr. Adams, seconded by Mr. Williams, the Trustees approved numbers 1 and 2 above; and on motion by Mr. Conner, seconded by Mr. Adams, the Trustees approved number 3 above, all for easements to the Central and Southern Florida Flood Control District.

PALM BEACH COUNTY - Florida Power and Light Company of Miami, Florida, requested an easement 21 feet wide across the Graduate Engineering Facility of the University of Florida at West Palm Beach in Section 6, Township 43 South, Range 43 East, Palm Beach County, for transmission and distribution of electricity to the said facility. The Board of Regents approved the request.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees approved the application for electric line easement.

CHARLOTTE COUNTY - The West Coast Inland Navigation District requested a corrective instrument to supersede Permanent Spoil Disposal Easement No. 23557 recorded in O.R. Book 287, Page 407, Public Records of Charlotte County, Florida. One call in the description furnished by West Coast Inland Navigation District and used in the original instrument was in error.

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees approved issuance of the corrective instrument.

PALM BEACH COUNTY - Mrs. Margaret Wilson applied for a corrective instrument to correct erroneous distance recitation in the original Trustees Deed No. 20320 issued in 1952.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the corrective deed.

TRUSTEES POLICIES AND GUIDELINES - On motion by Mr. Williams, seconded by Mr. Christian, the Trustees adopted the following policies and guidelines as prepared and distributed by Secretary of State Tom Adams on June 24, 1969.

1. In cases where the Trustees have approved the establishment of bulkhead lines prior to and inconsistent with the recommendations of the Interagency Reports, and where submerged land to such bulkhead lines has been sold by the Trustees, action should not be taken at this time to require a relocation of the bulkhead lines.

The Trustees go on record again as to their intention to rely on the Interagency Reports and the policy they adopted September 17, 1968, and as amended September 24, 1968, and continue to refuse to grant permits in such areas where the bulkhead line has not been relocated to the prescription of the Interagency Reports.

2. The Trustees have been deluged by the calls of concerned officials throughout the State of Florida who have interpreted recent actions by the Trustees to require vast expenditures for the establishment all at once of comprehensive bulkhead lines whether or not they are needed and whether or not there are in fact dangers to submerged land in these areas.

Therefore, the policy of the Trustees is not to require back-breaking expenditures by counties or municipalities to establish immediately comprehensive bulkhead lines where such lines are not now necessary to preserve the submerged lands of the State. For where there are no bulkhead lines, no dredge and fill permits can be granted.

3. Applications that conform to the Interagency Reports shall be placed on the agenda provided the Director is of the opinion that the counties or municipalities from which the items come are making satisfactory progress on a bulkhead line study, and adjustments to conform to the Interagency Reports.

4. Unless otherwise provided by law, it is the policy of the Trustees of the Internal Improvement Trust Fund, in those cases where the Board chooses, to sell state-owned sovereignty land that has been filled without authority, that the sale price be three times the value of the land in its filled condition without regard to the price spent on improvements, the price to be determined by a valid current appraisal unless the obtaining of a current appraisal would not be economically feasible. In those situations where the obtaining of an appraisal would not be economically feasible, the Director is directed to make the best estimate of a value and to recommend this price to the Board.

5. Where navigation channels over submerged land, whether in private or state ownership, are commenced without the proper permits, a penalty shall be assessed against the party doing the unauthorized dredging, such penalty to be retroactive as allowed by law. Said penalty shall be to compensate for the destruction of natural resources over the area where the unauthorized work has been done; it is to be understood that the Trustees shall in their discretion have the authority to require restoration of the encroached upon or excavated natural resources therein, or in the alternative, the assessment of monetary penalties.

6. The Director is authorized to place on the agenda items in the nature of a public purpose or extreme hardship, and such items shall be considered on their own merits notwithstanding the

policies stated herein. Such items shall have set forth specifically the reasons giving them the status of a public purpose or hardship.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees approved two regular bids for sales of land in Hillsborough and Okaloosa Counties under the provisions of Chapter 18296, the Murphy Act, Section 192.38 Florida Statutes, listed on Murphy Act Sale Report No. 956, and authorized execution of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
July 8, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Ney C. Landrum	Executive Director

The minutes of the meeting of July 1, 1969, were approved as submitted.

Mr. Dickinson advised the Board that Mr. Marion E. Sibley had requested delay from July 15 to July 29 for the Trustees to hear the application of his client, Gables By The Sea, Inc.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees directed the staff to schedule the application on the agenda of July 29, 1969.

CLAY COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees waived the advance agenda requirement for consideration of a bulkhead line urgently needed by the State of Florida Department of Transportation for construction of State Road No. 15.

The Board of County Commissioners of Clay County by resolution adopted June 16, 1969, located and fixed a bulkhead line in Section 44, John Creighton Grant, Township 4 South, Range 26 East, and in Section 41, Kingsley Grant, Township 4 South, Range 26 East, along the right of way line of State Road No. 15 at Orange Park, Clay County, Florida.

All required exhibits were furnished. There were no objections at the local hearing. The biological survey report indicated that the project should have no adverse effects on marine life in the area.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Trustees approve the bulkhead line as adopted by Clay County on June 16, 1969.

BREVARD COUNTY - Bulkhead Lines, Section 253.122 Florida Statutes. The Board of County Commissioners of Brevard County by resolution adopted January 9, 1969, relocated and established bulkhead lines in the Indian River at the mean high water line (elevation +0.5 feet MSL), excepting therefrom submerged lands previously sold and submerged lands having a valid fill permit effective this date. The bulkhead line relocation was for the North Brevard County area. All required exhibits were furnished, and there were no objections at the local hearing.

Also, the Board of County Commissioners of Brevard County by resolution adopted on January 23, 1969, relocated and established bulkhead lines in Central Brevard County in the Indian River, Banana River and Newfound Harbor, at the mean high water line (elevation +0.5 MSL), excepting therefrom submerged lands previously sold and submerged lands having a valid fill permit effective this date, and excepting the Horti Point bulkhead line. All required exhibits were furnished and there was one objection at the local hearing.

The bulkhead lines were relocated in response to the recommendations of Interagency Committee Report No. 1 and since the county was in the process of reviewing and relocating bulkhead lines under its jurisdiction, the staff recommended approval of the lines presented on this date.

Mr. Adams said Brevard County was to be commended for moving ahead with bulkhead line revision, that the effect of its action would leave some extensions where land has been sold, which might be the only practical solution that would not place a burden on local governmental bodies of buying back land beyond bulkhead lines pulled back to mean high water to conform to Interagency reports.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that the Trustees approve the bulkhead lines established by Brevard County by resolutions on January 9 and 23, 1969.

DADE COUNTY - File No. 2189-13-253.12.
On May 27,1969, the Trustees authorized advertisement for objections only of a 0.57 acre parcel of sovereignty land in Indian Creek abutting Lots 1 through 8, Block 3, Amended Plat of 2nd Oceanfront Subdivision, Plat Book 28, Page 28, Public Records of Dade County, lying in Section 11, Township 53 South, Range 42 East, Dade County, applied for by S. P. J., Inc., of Miami Beach, represented by Joseph W. Bradham, Jr., attorney. To supplement uplands in connection with a multi-family housing development applicant agreed to pay the appraised value.

Appraisal report by Leonard A. Bisz, M.A.I., assigned a value of $2,500 for the parcel. Discussion at the Trustees' staff conference indicated that the value was low and that action not be taken on the sale price at the July 8 meeting. Further review by the staff brought out that a realistic value for the parcel in Miami Beach would be $5,785.50 which was recommended as the price for sale on this date.

The biological report was not adverse to sale and development and staff was of the opinion that sale and development would not adversely affect navigation.

Six riparian upland owners had objected that the project would materially interfere with navigation and that proposed high-rise structures would degrade the appearance of the neighborhood.

The Trustees approved the bulkhead line on May 13, 1969.

Motion was made by Mr. Christian, seconded by Mr. Williams, that the sale be confirmed at the price of $5,785.50 for the parcel.

Mr. Adams restated the Board's position adopted last week that the staff would recommend approval only in those counties where satisfactory progress was being made on bulkhead lines in accordance with the Interagency reports, that Dade County has not done so in the south fifty miles of shoreline.

Mr. Christian disagreed with holding up applications that were in compliance with the Interagency reports when in two other recent instances sales in Dade County were approved.

There was further discussion of the policy and the appraisals. Also, Mr. Joseph W. Bradham made a brief statement on behalf of the applicant.

On the motion for approval made by Mr. Christian, seconded by Mr. Williams, Mr. Dickinson and Mr. Conner voted "Yea". The Governor, Mr. Adams and Mr. Faircloth voted "No". Therefore, failing to receive five affirmative votes required by law for a land sale, the purchase application was not approved.

The fill permit for the same land was withdrawn from the agenda.

DADE COUNTY - Dredge Permit, Section 253.123, and Fill Permit, Section 253.124 Florida Statutes.
Mr. R. V. McAninch of Burk Builders, Inc., representing The Jockey Club, Inc., Miami, Florida, submitted application for dredge permit to excavate 54,600 cubic yards of fill material from Biscayne Bay, and requested approval of fill permit issued by Dade County pursuant to Resolution No. R-570-69 adopted May 14, 1969.

The biological report of August 19, 1968, from the Florida Board of Conservation stated that the project should have little adverse effect on the marine life of the area. Sale of the 1.69 acre parcel was confirmed on June 24, 1969.

On motion by Mr. Dickinson, duly adopted, the Trustees approved dredge and fill permits for a charge of $5,460.00 for the fill material.

FRANKLIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Harry Morrison applied for permission to construct a single 40-foot by 5-foot by 80-foot, more or less, channel to connect an existing upland canal with Alligator Harbor Creek in Section 6, Township 7 South, Range 1 West, Alligator Point in Franklin County. The material removed would be placed on applicant's upland, and the channel connection would provide access to Alligator Harbor.

The Florida Board of Conservation biological report of June 25, 1969, indicated that although the project would destroy valuable cord grass habitat, it would provide access to an existing canal and access from uplands to the east of Barnes Street.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the dredge permit.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Ben Marler of Destin, Florida, applied for permission to do maintenance dredging adjacent to his docks in old East Pass Lagoon, Marina Point Military Reservation, in Township 2 South, Range 22 West, Okaloosa County. The material would be placed on his upland property.

The Florida Board of Conservation biological report indicated that the project would not adversely affect marine resources.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that the Trustees approve issuance of the dredge permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The City of Sarasota applied for permit to install a sub-aqueous water main in Big Sarasota Pass from Lido Key to Siesta Key in Sections 35 and 36, Township 36 South, Range 17 East, and Sections 1 and 2, Township 37 South, Range 17 East, Sarasota County.

Florida Board of Conservation biological report indicated the proposed project would not materially affect marine biological resources.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the Trustees approve issuance of the dredge permit.

LEE COUNTY - Dredge Permit, Section 253.123, and
Dock Permit, Section 253.03 Florida Statutes.
Mr. Vaughn Heffner applied for permit to construct a commercial fishing pier and to dredge to improve navigation adjacent to his property in Matlacha Pass in the N½ of Section 24, Township 44 South, Range 22 East, Porpoise Island in Lee County.

All required exhibits were furnished, the material removed during dredging would be placed on uplands, and the biological report indicated no adverse effects on marine life.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted, that the Trustees approve issuance of the dredge and state commercial dock permits, for $100 processing fee for the latter permit.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Jockey Club, Inc., applied for a permit to construct a dock in Biscayne Bay in Section 32, Township 52 South, Range 42 East, Dade County.

All required exhibits including $100 processing fee were furnished and staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dock permit.

HILLSBOROUGH COUNTY - Hillsborough Junior College Site. By virtue of Chapter 67-2236, Laws of Florida (Section 253.03 Florida Statutes), the Trustees hold title to a 160-acre tract in Section 9, Township 29 South, Range 18 East, in use as a Tuberculosis Hospital in Tampa, Florida. The State Board of Education at its meeting June 24, 1969, adopted a resolution requesting the Trustees to convey to the Board of Trustees of Hillsborough Junior College the south half of that property for use as a junior college site for $1.00 and other considerations. The Trustees of the Junior College would bear all costs for the relocation of all capital improvements on the land to be conveyed to such other place on the site as may be designated by the State.

Staff recommended conveyance of the 80-acre tract with appropriate restrictions and reverter clause in the instrument. Mr. Landrum explained that the staff had not conducted any independent study but based its recommendation on the expressed desire of the Junior College Board and the fact that the Tuberculosis Board was not adverse to releasing the 80 acres.

Motion was made by Mr. Williams, seconded by Mr. Christian, for conveyance of the 80 acres as recommended.

During the discussion Mr. Adams said he opposed the conveyance because he thought Hillsborough County should contribute to the Junior College program by donating the site rather than having it provided by the State. Mr. Conner wanted to know whether there had been adequate planning for the highest and best use of the property, but he did feel that education should be at the top of the priority list. Governor Kirk was opposed to construction of a junior college at this location because it was more needed in the Ybor City area, in his opinion. He felt that in selecting this site the county was delaying providing property for a junior college where it would serve more students.

Mr. Christian explained that traffic studies and preliminary planning had been completed, that the county had provided a downtown site which would be available in about two years under an urban renewal program. He said there were four other universities in the area and one should be on this side of town, that area high schools would have a program for deprived students until the downtown site was ready, that the 80 acres had been given to the

state by the federal government and, not being needed by the Tuberculosis Hospital, would be put to educational use for all citizens.

Mr. Conner suggested that the Director prepare recommendations from a total usage point of view, whereupon Mr. Christian said that planning was not in the hands of the Trustees but the Junior College Board and had been done before the matter was brought to the Trustees.

On the motion made by Mr. Williams and seconded by Mr. Christian and by Mr. Dickinson, the conveyance of the 80-acre tract with appropriate restrictions and reverter clause in the instrument was approved five to two, with Governor Kirk and Mr. Adams voting "No."

The Governor requested an appraisal report of the 80 acres.

ESCAMBIA COUNTY - Refund.
Final Judgment was rendered in the Leon County Circuit Court in the case styled Merry v. Trustees (Civil No. 68-309) adverse to the Trustees and requiring refund to be paid to Edward T. Merry, as Executor of the Estate of Howard R. Merry, deceased, in the sum of $9,854.20. That amount represented the sums of money paid to the Trustees for Oil and Gas Drilling Lease No. 2003 issued on May 7, 1964, to M. F. Kirby and Edward Merry, Executor of the Estate of Howard R. Merry, and cancelled on August 10, 1965, by the Trustees for failure to drill a well within the time required to pay rentals.

The Circuit Court ruled that the Trustees failed to secure certain consenting resolutions required under Section 253.61 Florida Statutes, prior to issuance of said lease and having failed to do so, had no right to issue the lease. The Attorney General did not recommend appeal. Therefore, it was recommended that refund be issued as directed under Section 253.29 Florida Statutes.

Mr. Adams asked if there were other similar cases and the Director said the staff would review the status of other leases in the Trustees' office.

Mr. Faircloth expressed the opinion that the refund should be approved, and Assistant Attorney General Steve Slepin said the Board was under court order to make the refund, and that it would set no precedent.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees authorized payment of the refund.

MONROE COUNTY - Proposal for Use of Stockpiled Material.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees waived the rules to take up an item prepared as an addendum to the regular agenda.

On June 10, 1969, the Trustees received sealed bids for the removal of a stockpile of limestone rock deposited on state-owned submerged land between Stock Island and Raccoon Key in Monroe County. Mr. William G. Stevens was awarded the bid at a price of $0.501 per cubic yard, contingent on the Commissioner of Education, the Director and Mr. Stevens trying to work out a plan for using part

of the material for Florida Keys Junior College, if needed.

On July 7, after consultation with the Trustees' representatives, Mr. Stevens submitted a proposal for using some 60,000 cubic yards (of the estimated total 200,000 cubic yards) to fill four areas desired by the Junior College for expansion purposes. The fill would be graded and rolled smooth to meet necessary construction standards, and would be completed within six months. A copy of Mr. Stevens' proposal was furnished to each member of the Board.

Mr. Stevens represented that the value of the indicated work would equal the value of the remaining material at the bid price of $0.501 per cubic yard, and that therefore no further payment would be due the Trustees. While time had not permitted verification by the staff of the figures and values involved, Mr. Stevens requested that the Trustees consider and approve in concept his proposal to offset the entire cost of remaining material through work performed for the Junior College. Staff recommended approval in concept, subject to verification of the relative values and preparation of a suitable contract by the Attorney General.

Mr. Landrum said the proposal would create eight additional acres for the Junior College, would in effect be a trade of Mr. Stevens' work for the remaining fill material, and might accomplish some economies for the State of Florida and be the best way to handle the matter. Mr. Christian said it would be a very good saving to the state, pointing on a map where the college extension would be located. The Governor commented that the Trustees would not receive anything for the material.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved in concept the proposal submitted by Mr. Stevens, subject to verification of the relative values and preparation of a suitable contract by the Attorney General.

On motion duly adopted, the Trustees' meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST:
EXECUTIVE DIRECTOR

* * * * * * * * *

7-8-69

Tallahassee, Florida
July 15, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Doyle Conner	Commissioner of Agriculture

Ney C. Landrum — Executive Director

MONROE COUNTY - Governor Kirk advised that he had received some further communications regarding the stockpile of limestone rock deposited on state-owned submerged land between Stock Island and Raccoon Key in Monroe County, and asked that any new information be thoroughly reviewed by the Attorney General's office prior to issuance of a contract to Mr. William G. Stevens pursuant to action of the Trustees on July 8, 1969.

Mr. Landrum assured the Governor that this would be done.

On motion duly adopted, the minutes of the meeting held on July 8th were approved.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Pinellas County, sitting as the Pinellas County Water and Navigation Control Authority, by resolution adopted on April 22, 1969, located and fixed a bulkhead line along the existing shoreline in Long Bayou in St. Petersburg in Section 2, Township 31 South, Range 15 East, Pinellas County. All exhibits were furnished and there were no objections at the local hearing.

The biological report dated March 4, 1969, indicated that the bulkhead line should not have adverse effects on marine life, however construction along the north portion should include measures which would avoid damage to the shallow productive bottoms bayward of the proposed seawall line.

Pinellas County Water and Navigation Control Authority by letter of July 1st advised that the bulkhead line was located in accordance with recommendations of the Interagency Advisory Committee Report No. 1.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved the bulkhead line adopted by Pinellas County on April 22, 1969.

SARASOTA COUNTY - File No. 2019-58-253.12. The Trustees deferred action on reconfirmation of sale and approval of a restrictive deed covenant and reverter provisions for the reason that only four members were present.

PALM BEACH COUNTY - File No. 2231-50-253.129, Disclaimer.
The Trustees deferred action on an application for a disclaimer for the reason that only four members were present.

HIGHLANDS COUNTY - File No. 2230-28-253.03, Drainage Easement.
The Department of Transportation requested dedication of a drainage easement embracing 0.01 acre of Lake Clay bottom lands in Section 31, Township 36 South, Range 30 East, and dedication of a drainage easement embracing 0.01 acre over bottoms in Lake June in Winter in Section 30, Township 36 South, Range 30 East, in Highlands County, designated as Parcel No. 187.1, State Road 25, Section 09010-2501.

The Board of Conservation had no jurisdiction as the lake was fresh water, and the staff requested authority to issue easement.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved dedication of the land requested by the Department of Transportation.

DUVAL COUNTY - Dock and Dredge Permits, Sections 253.03 and 253.123 Florida Statutes.
Mr. Mat Roland of Mayport, Florida, applied for permission to add a 60-foot extension to an existing dock facility and to perform maintenance dredging inside an existing boat slip in the St. Johns River adjacent to applicant's upland property in Township 1 South, Range 29 East, Mayport, Duval County. The material removed would be placed on applicant's upland. All required exhibits, including $100 processing fee, had been furnished.

The biological survey report dated June 30, 1969, indicated that the area was not a nursery and breeding ground for marine life and dredging should not have significant adverse effects on marine life.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of state commercial dock permit and dredge permit to improve navigation.

ESCAMBIA COUNTY - Artificial Reef Permit.
Gulf Atlantic Oceanographic Research Society, Inc., applied for permit for the construction of two artificial reefs in the Gulf of Mexico, of polypropylene strips located in 20 feet of water approximately 1500 yards offshore. The midpoint of Site 1 was located at 30° 16.9' North Latitude and 87° 25.6' West Longitude. The midpoint of Site 2 was located at 30° 19.94' North Latitude and 87° 13.2' West Longitude. Applicant tendered check for $50 in payment of the application fee.

The Florida Board of Conservation report indicated that no commercial trawling for fish or shrimp was done at either of the locations and recommended a state permit for the unique project to provide research data on ecological succession of marine plants and animals on plastic seaweed.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted, that permit for the artificial reefs be approved.

LAKE COUNTY - Dredge Permit, Section 253.03 Florida Statutes.
Dr. Randall B. Whitney of Mount Dora, Florida, applied for permission to remove 900 cubic yards of material from Lake

Gertrude in Section 25, Township 19 South, Range 26 East, Lake County, to use for improvement of his upland. He tendered check in the amount of $90 as payment for the material.

Florida Game and Fresh Water Fish Commission reported favorably subject to the usual stipulations as to dredging.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted, the Trustees approved issuance of the dredge permit.

LEE COUNTY - Dock Permit, Buoy Anchor, Section 253.03 F. S.
Florida Power and Light Company, Miami, Florida, applied for a permit for installing a mooring buoy anchor to moor barges during tanker off-loading operations at Florida Power and Light Boca Grande Fuel Oil Terminal in Charlotte Harbor in Township 43 South, Range 21 East, Lee County. All required exhibits and $100 processing fee were furnished.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the dock permit.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 F. S.
Shalimar Yacht Basin, Inc., applied for permit for construction of navigation channel 50 feet by 5 feet by 800 feet into Lake Toto, and maintenance dredging in an existing channel into Lake Como from Choctawhatchee Bay in Sections 5 and 6, Township 2 South, Range 23 West, Okaloosa County. The material removed would be placed on upland property.

The biological study indicated no adverse effects on marine biological resources from the work.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge permit.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 F. S.
Norman F. Mueller on behalf of Elliott Point Canal Association applied for permit to perform maintenance dredging in an existing channel adjacent to its upland property on Choctawhatchee Bay in Section 7, Township 2 South, Range 23 West, Okaloosa County. The material removed would be placed on upland.

The biological report indicated that the area of proposed dredging was sandy and unvegetated and there should be no adverse effect on marine biological resources from the small project.

On motion by Mr. Faircloth, duly adopted, the Trustees approved issuance of the dredge permit to improve navigation.

BREVARD COUNTY - Refund, File No. 1271-05-253.12.
On October 8, 1963, the Trustees authorized advertisement of 1.9 acre parcel of sovereignty land in the Indian River abutting Section 14, Township 30 South, Range 38 East, Brevard County, applied for by Robert S. Campbell. An adjoining owner filed suit for the purpose of determining the boundary of property owned by Campbell, the sale of the sovereignty land was held in abeyance due to the litigation, and applicant has now divested himself of the uplands and requests refund of $190.00 submitted as consideration for the sovereignty parcel.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted, that refund of the $190.00 be authorized.

LEON COUNTY - Capitol Center Property. On June 24, 1969, Mr. Leo Foster, attorney representing Leon County Blood Bank, made an offer to sell the Blood Bank property located on part of Lot 34 Old Plan, to the Trustees for $50,000 for the Capitol Center. When it was pointed out that the property had not been appraised, Mr. Foster offered the property for $50,000 or at the appraised value, whichever was less.

Pursuant to instruction from the Trustees, an appraisal was obtained from Mr. N. R. Boutin, M. A. I., setting the value of the property at $42,500.

Staff officials of the Department of General Services, Capitol Center Planning Committee, confirmed their previously expressed desire to have the property acquired as soon as possible for Capitol Center expansion. Mr. Foster advised that a purchase price of $42,500 would be acceptable, and the staff recommended acquisition of the property at the appraised value.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted, the Trustees authorized acquisition of the subject property from Leon County Blood Bank at the appraised value and payment from the Internal Improvement Trust Fund.

ADVANCE AGENDA - Mr. Landrum requested consent to add to the Advance Agenda, consisting of a City of Sarasota bulkhead line, an Orange County application furnished to each member as an addendum. These two Advance Agenda matters will be scheduled for consideration by the Trustees on July 29, 1969.

It was so ordered.

TRUSTEES' EXECUTIVE DIRECTOR - Mr. Ney C. Landrum, who was appointed as Executive Director on July 1, 1969, tendered his resignation to become effective at the convenience of the Board. He expressed regret and appreciation but stated that in a position so important and sensitive he could not serve without the unanimous confidence and support of the members of the Board. His resignation was accepted.

Governor Kirk nominated as Executive Director Mr. James W. Apthorp. Mr. Dickinson seconded the nomination and Mr. Apthorp's appointment was confirmed by affirmative vote of all members present.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

7-15-69

Tallahassee, Florida
July 22, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T.Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Fred Vidzes — Staff Member

Trustees' agenda was presented by Mr. Fred Vidzes, standing in for Mr. Ney C. Landrum who was on military leave. On August 1st the Directorship of the Trustees would be assumed by Mr. James W. Apthorp, appointed by the Board last week.

On motion duly adopted, the minutes of the July 15th meeting were approved as submitted.

BOARD OF DRAINAGE COMMISSIONERS - Reported for the record. The staff was authorized to transfer records of the Board of Drainage Commissioners of the State of Florida, created under Section 298.69, Florida Statutes, to the Department of Natural Resources pursuant to Chapter 69-106, by Type 6 Transfer.

PALM BEACH COUNTY - Disclaimer, File No. 2218-50-253.129. Charles Donner, et al, represented by Brockway, Owen and Anderson Engineers, Inc., applied for a disclaimer pursuant to Section 253.129 Florida Statutes, for 0.101 acre parcel of sovereignty land in Lake Worth filled prior to enactment of Chapter 57-362, Laws of Florida, abutting the North 275 feet of the South 826.4 feet of Government Lot 1, Section 35, Township 44 South, Range 43 East, in the Town of Palm Beach, Palm Beach County. All necessary documents were submitted and staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the disclaimer be issued for the usual $100.00 processing fee.

PALM BEACH COUNTY - Disclaimer, File No. 2220-50-253.129. Ed Donner Lumber Corp., represented by Brockway, Owen and Anderson Engineers, Inc., applied for disclaimer pursuant to Section 253.129 Florida Statutes, for 0.923 acre parcel of sovereignty land in Lake Worth filled prior to enactment of Chapter 57-362, Laws of Florida, abutting the North 276.4 feet of the South 551.4 feet of Government Lot 1, Section 35, Township 44 South, Range 43 East, in the Town of Palm Beach, Palm Beach County. All necessary documents were submitted and staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the disclaimer be issued for the usual $100.00 processing fee.

PALM BEACH COUNTY - Disclaimer, File No. 2231-50-253.129.
The City of West Palm Beach, represented by Assistant City Attorney James W. Vance, requested a disclaimer to submerged lands in Lake Worth filled prior to the effective date of Chapter 57-362, Laws of Florida. The 5.256 acre parcel abutting Government Lots 4 and 5, Section 22, Township 43 South, Range 43 East, Palm Beach County, was used by the City Marina. All necessary exhibits and documents were furnished and staff recommended approval.

The Trustees deferred action on July 15 for the reason that five members were not present.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of disclaimer for the usual $100.00 processing fee.

HIGHLANDS COUNTY - Drainage Easement. File No. 2230-28-253.03.
The Department of Transportation requested dedication of drainage easement over 0.01 acre of Lake Clay bottoms in Section 31, Township 36 South, Range 30 East, Highlands County, and dedication of drainage easement over 0.01 acre of Lake June in Winter bottoms in Section 30, Township 36 South, Range 30 East (Parcel No. 187.1 State Road 25, Section 09010-2501).

This request was before the Trustees on July 15 but due to lack of five members present, it was held over for reconfirmation.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees reconfirmed approval for issuance of the easement.

DADE COUNTY - Right of Way Easement, File No. 2234-13-253.03.
The Department of Transportation requested dedication of right of way over 3.1 acre of Biscayne Bay bottoms in Sections 8 and 9, Township 53 South, Range 42 East, Dade County, identified as Parcel No. 102.1, State Road 828 - 79th Street, Section 87080-2506.

There would be no dredging or filling within the proposed dedication.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dedication.

HILLSBOROUGH COUNTY - File No. 1931-29-253.124, Extension of Fill Permit, Section 253.124;
Dredge Permit, Section 253.123 Florida Statutes.

Mr. Vidzes advised that the Secretary of State had requested deferral of consideration of the application from Francis J. Corr, Paul B. Dickman and Robert E. Lee & Co., Inc. (Apollo Beach Development) for a time extension of an existing fill permit approved by the Trustees on July 11, 1967. The matter was withdrawn from the agenda on June 24 for further investigation of the dredging and filling activities.

Without objection, the Trustees deferred consideration as requested.

However, Mr. Myron G. Gibbons was present to object on behalf of the National Audubon Society and was heard at this time. He said the Society realized that change must take place in some areas, but that the regulatory boards of Hillsborough County and the State

of Florida should require a current biological study and then decide whether such dredging is in the public interest. Secondly, he thought the application should submit a detailed engineering and operational plan showing how adjacent areas are to be protected from silting. He pointed out that the original permit was issued prior to the Randell Act, that Hillsborough County had approved the renewal request without a biological study, and that there were no rules and regulations to protect adjacent areas from siltation and water pollution. Mr. Gibbons offered his comments to help the Trustees in consideration of the application when it is again agendaed, indicated to be on July 29th when Mr. Adams will be present.

PASCO COUNTY - Dredge and Fill Permit, File No. 24663(774-51), Sections 253.123 and 253.124 Florida Statutes.

Block M, Incorporated, a non-profit corporation, Hudson Beach, Florida, applied for dredge permit and approval of fill permit issued by the Board of County Commissioners of Pasco County on June 11, 1968. The staff was of the opinion that the application came within the purview of "Hardship" and "public interest" based on the Trustees' action of July 25, 1967, reactivating a purchase contract for purchase of 46.11 acres of land by said corporation. The biological report submitted on July 17, 1967, was not adverse to development.

The Interagency Advisory Committee recommended that the bulkhead line for Pasco County be returned to the line of mean high water. By resolution adopted on March 11, 1969, the Pasco County Commission reconfirmed the bulkhead lines as located from the north county line to Bailey's Bluff, and from Bailey's Bluff to the Pinellas County line the bulkhead line has been located at the mean high water line.

By letter dated August 12, 1968, Mr. Whitehurst had advised that all dredging would occur within the parcel owned by Block M, Inc., with any deficiency in fill material to be supplemented from upland sources.

Governor Kirk, calling attention to the distance offshore of the bulkhead line in this case, asked for an explanation.

Messrs. Melvin G. Scheer of Block M, Inc., and Leon Whitehurst, Jr., attorney from Clearwater, Florida, were present. Mr. Whitehurst reviewed the history of the development, the purchase contract between the State and V. M. Clark, Jr., sale of lots to about sixty individuals who, upon financial failure of Mr. Clark before completion of development, formed a non-profit corporation to recoup their investments. In 1967 the Trustees permitted the group to purchase the 46.11 acres of land, partially filled mainly around the perimeter of the tract, and funds were borrowed by the non-profit corporation. Shortly thereafter the moratorium went into effect and progress was held up. Mr. Whitehurst said they understood the purpose of the moratorium was to afford a look at the over-all picture, but their project was a hardship case, the county reaffirmed the bulkhead line and the staff recommended approval of the dredge and fill permits.

In view of the facts related and recorded in the minutes of July 25, 1967, when this Board agreed to reactivate the purchase contract, the partial development already accomplished, and in view of the equity of the many purchasers involved, motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted, that the Trustees authorize issuance of dredge permit under Section 253.123 and

approve fill permit issued under provisions of Section 253.124 Florida Statutes.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Florida Power and Light Company of Miami, Florida, applied for a permit to install a submarine cable across Biscayne Bay along State Road 828 (79th Street Causeway) between North Bay Village and the City of Miami, and between Treasure Island and Harbor Island in Sections 8 and 9, Township 53 South, Range 42 East, Dade County.

Biological survey report from the Department of Natural Resources indicated no adverse effects on marine life from the cable installation.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved dredge permit to the Florida Power and Light Company.

MARION COUNTY - Dredge Permit, Canal Connection.
John Laye, Jr., applied for a permit to connect a 20-foot canal to be constructed on his property with Lake Ker in Section 22, Township 13 South, Range 25 East, Marion County. Material removed from the dredging operation would be placed on upland, and $50 was tendered as payment.

Florida Game and Fresh Water Fish Commission reported favorably, subject to the standard stipulations as to dredging.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted, that the Trustees approve issuance of dredge permit.

POLK COUNTY - Dredge Permit, To Improve Navigation.
Judge Richard A. Bronson, Bartow, Florida, applied for permission to clean out an existing 250 ft. by 8 ft. channel in Lake Hollingsworth adjacent to his upland property in Section 29, Township 28 South, Range 24 East, Polk County. Applicant tendered check for $50 as minimum payment for the material, to be placed on his upland.

Florida Game and Fresh Water Fish Commission reported favorably subject to standard stipulations as to dredging.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the Trustees approve issuance of the dredge permit.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes.
Dade County Public Works Department applied for permit to construct two finger piers at Haulover Beach in Biscayne Bay in Section 23, Township 52 South, Range 42 East, Dade County. All required exhibits, including $100 processing fee, were furnished and staff recommended approval.

Motion was made by Mr. Conner, seconded by Mr. Faircloth and adopted, that the application be approved.

PALM BEACH COUNTY - State Dock Permit, Section 253.03 F. S.
The Town of Palm Beach applied for a permit to remove and reconstruct the existing Brazilian Avenue Dock facility in Lake Worth in Township 43 South, Range 43 East, Palm Beach County. All

exhibits, including $100 processing fee, were furnished and staff recommended approval.

Motion was made by Mr. Christian, seconded by Mr. Dickinson, and adopted, that the Trustees approve issuance of state commercial dock permit.

NASSAU COUNTY - Callahan Road Camp Lease.
The Board of County Commissioners of Nassau County by resolution adopted February 11, 1969, requested use of all or a portion of the Road Department maintenance camp located at Callahan in Section 42, Township 2 North, Range 25 East, Nassau County, for storage of county road equipment and materials.

The Department of Transportation determined that a 6.259 acre portion of the camp site was available and approved a lease between the Trustees and the county for the purpose requested. The Attorney General had reviewed and approved the proposed lease form.

Staff recommended lease to the county on a year-to-year basis at an annual rental of $100, conditioned that the property be used for county road department purposes only.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the staff recommendation as the action of the Board.

PINELLAS COUNTY - Duplicate Deed.
George K. Kickliter, Attorney at Law, requested a duplicate of Trustees Deed No. 23284(1047-52) dated August 18, 1967, to Girard W. Lane, Trustee, the original having been lost prior to recording.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of duplicate deed for $25.00 handling charge.

TRUSTEES' FUNDS - Staff requested authority to request the Budget Commission to release $125,000 for non-operating expenses on a contingency basis. The budget to date had not been prepared or submitted, and monies were required for immediate expenses, refunds and capitol center acquisitions. It was anticipated that the Director would have prepared a proposed budget for the fiscal year 1969-70 before August 10th, at which time the release would be reflected therein.

On motion by Mr. Christian, seconded by Mr. Dickinson, and adopted, the Trustees granted the authority requested, subject to approval by the Budget Director.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

7-22-69

ATTEST: Fred Vidzes
STAFF MEMBER

* * * * * * * * * * *

Tallahassee, Florida
July 29, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education

James W. Apthorp

On motion by Mr. Christian, duly adopted, the Trustees approved minutes of the July 22nd meeting with correction of the date from July 29 to August 1 for Mr. Apthorp to assume the position of Executive Director. Since Mr. Landrum was on military leave, Mr. Fred Vidzes was designated to execute documents resulting from this meeting, for which Mr. Apthorp presented the agenda.

SARASOTA COUNTY - Bulkhead Line, City of Sarasota
Section 253.122 Florida Statutes.

The City Commission of the City of Sarasota by resolution adopted July 16, 1969, located and fixed a bulkhead line along the east shore of Sarasota Bay from the north city limits to the south city limits and that portion of Bay Island and Siesta Key, all lying and being in Sections 2, 12, 13, 24 and 36 in Township 36 South, Range 17 East, and Sections 19, 30 and 31, Township 36 South, Range 18 East, within the city limits of the City of Sarasota in Sarasota County. All required exhibits were furnished. There were no objections and the staff recommended approval of this bulkhead line which conformed to the preservation line recommended by the Florida Board of Conservation.

The segment of the city bulkhead line approved by the Trustees last year, and the segment presented for approval on this date by City Attorney John M. Scheb, composed the comprehensive, engineered bulkhead line established by the city after many hours of study, public hearings, cooperation by the Board and staff, in the best interests of the city and the people.

State Treasurer Broward Williams made a motion that the bulkhead line be approved. Before taking a vote, Mr. Adams said the Trustees would like to commend the city as being the first governmental body, as he understood it, to complete engineering bulkhead lines under the new legal and conservation criteria.

On the motion made by Mr. Williams, seconded and unanimously adopted, the Trustees approved the bulkhead line adopted by the City of Sarasota on June 16, 1969.

DADE COUNTY - File No. 2189-13-253.12, Land Sale and Fill Permit. On July 8, 1969, an application from Joseph W. Bradham, Jr., on behalf of S. P. J., Inc., to purchase 0.57 acre parcel of sovereignty land in Indian Creek in Section 11, Township 53 South, Range 42 East, in the City of Miami Beach, failed to receive the five affirmative votes required for confirmation of sale. On that date the staff had recommended that sale be confirmed over objections, because such sale and development would not be adverse to marine biological resources, navigation would not be adversely affected, and the bulkhead line recently approved by the Trustees was generally in conformity with the Interagency Advisory Committee recommendations.

At the request of the Secretary of State and Commissioner of Education, the Trustees were asked to reconsider the application. Mr. Christian said he thought there had been a misunderstanding.

The staff valuation of the 0.57 acre parcel was $5,785.50 or $10,150 per acre, based on an appraisal submitted July 3, 1969.

The applicant, S. P. J., Inc., also requested approval of a fill permit only, issued by the City of Miami Beach on February 25, 1969, under provisions of Section 253.124 Florida Statutes.

Motion was made by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, that sale of the 0.57 acre parcel in the City of Miami Beach be confirmed at the $10,150 per acre value, or $5,785.50 for the parcel, and that the fill permit issued by the City of Miami Beach be approved by the Trustees.

CITRUS COUNTY - File No. 2175-09-253.12, Land Sale.

On June 3, 1969, the Trustees considered the application from Edwin M. Purcell to purchase a parcel of heretofore filled sovereignty land abutting Government Lot 5, Section 21, Township 18 South, Range 17 East, Citrus County, containing 0.849 acre appraised at $4,153.22 per acre. The parcel was advertised for objections only in the Suncoast Sentinel, proof of publication filed and no objection was received. The land was to be used in connection with enlargement of a marina.

The biological survey indicated no significant adverse effects within the limits of the bulkhead line. The Interagency Advisory Committee recommended that the bulkhead line be set at the line of mean high water, and the bulkhead line approved by the Trustees on April 8, 1969, was approximately at mean high water line.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the 0.849 acre parcel to Mr. Purcell at the appraised price.

ORANGE COUNTY - File No. 2186-48-253.36, Application to Purchase. Application was made by Conway D. Kittredge, et ux, to purchase a parcel of Lake Conway reclaimed lake bottom land abutting Government Lot 4, Section 13, Township 23 South, Range 29 East, 1.0309 acre in Orange County, desired to be used in connection with construction of a large apartment complex. The long, narrow strip had a reported value of $300.00 for the parcel, but the staff felt it was probably worth more and recommended deferment for establishing a realistic valuation and penalty for filling without authority.

Mr. Christian said the applicants might be hurt by delay and had

indicated they would pay whatever the appraisal was; therefore, he suggested approval subject to value determination.

Mr. Apthorp said the staff recommendation would be that the value be set at three times the value of an appraisal to be secured.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the sale be approved subject to payment for the parcel at three times the appraisal value agreed to by the staff.

DADE COUNTY - File No. 18337 and 21655-13-253.124; Dredge Permit, Section 253.123, and Fill Permit, Section 253.124 F. S.

Gables By The Sea, Inc., represented by Marion E.Sibley, Attorney, requested approval of a fill permit issued by the City of Coral Gables on May 13, 1969, by virtue of Resolution No. 14825 adopted on said date, to fill approximately 175 acres of land heretofore acquired from the Trustees. Applicant had tendered check in payment for an estimated 1,300,000 cubic yards of material to be dredged bayward of the established bulkhead line within the City of Coral Gables in Dade County.

The Interagency Advisory Committee had recommended relocation of the bulkhead line to the mean high water line. The City of Coral Gables had confirmed its bulkhead line as presently located.

The biological survey report submitted by the Board of Conservation dated January 3, 1969, was adverse to the project, and the Trustees' staff recommended denial of the dredge and fill permit.

Mr. Adams made the following statement: "Before the Board or anyone who wishes to be heard begins discussion on Item 6, I would like to make a short statement. When this matter was before us on July 1, I am sure that you will recall that I made some statements which evidenced I had a preconceived opinion as to how the request should be disposed of. Let me assure you the opinion I expressed on that date came about through a thorough investigation of the subject. However, in the interest of demonstrating that this Board has always strived to make its deliberations in a sober, objective manner, I have decided to withdraw from any discussion or vote on Item 6, and I am taking this action irrespective of the Affidavits of Disqualification that have been filed by the Attorney for the applicant."

Attorney General Earl Faircloth presided for this matter.

Mr. Apthorp reviewed the information in the file, stated that the dredge area contemplated extended beyond the bulkhead line about five thousand feet over state-owned lands biologically valuable, and the staff recommendation was against the project for several reasons.

Mr. Sibley said the Trustees were an administrative board that heard evidence and determined whether the permit should be granted, that the power to issue fill permit vested in the City of Coral Gables, that everything required by law had been done by the city and the applicant, which the Attorney General might verify, and he furnished depositions and exhibits which were received by the Trustees for study. Mr. Sibley reviewed the unfavorable biological report of the Board of Conservation biologist which he said failed to show whether or not such dredging and filling would be detrimental to marine life to such an extent as to be contrary to the public interest, said biological and ecological surveys by experts named

had been obtained by his client which were not unfavorable, reviewed the purchase and issuance of permits from 1956 to date, delay caused by moratorium imposed by the Trustees, changed policies and new legislation which he said should not be retroactive or retrospective.

Mr. Sibley said denial of permission to fill would amount to a taking of property because it had not been proved that the filling would materially or adversely affect the public interest, cited litigation and court rulings in other cases.

After some questions and comments by members of the Board, and Mr. Sibley's expressed willingness to leave the matter with the Trustees for study and advice of the Attorney General, motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that action be postponed until it can be scheduled at a time after the members have had opportunity to read all the evidence.

DADE COUNTY - Dredge Permit for Beach Nourishment, Section 253.123, File 120.

Bal Harbour Village, by Acting Village Manager Fred W. Maley, requested permission to remove an additional 100,000 cubic yards of material from the dredge area "A" previously approved by the Trustees in meeting on July 2, 1968. The material would be used for the beach nourishment project approved by the staff of the Florida Board of Conservation, which reported the dredge area to be sandy and unvegetated, and that the proposed dredging would not adversely affect marine resources of the area.

On motion by Mr. Christian, adopted without objection, the Trustees approved the dredge permit for beach nourishment project at Bal Harbour, Florida.

HILLSBOROUGH COUNTY - Fill Permit Extension, Section 253.124; Dredge Permit Section 253.123; File No. 1931-29-253.124.

On July 22, 1969, the Trustees deferred action on the application from Francis J. Corr, Paul B. Dickman, and Robert E. Lee & Co., Inc., (Apollo Beach Development) for a time extension of an existing fill permit approved by the Trustees on July 11, 1967. The matter had been withdrawn from the agenda on June 24 for further investigation of the dredging and filling activities.

Mr. Myron G. Gibbons, representing the National Audubon Society, was present on July 22 and was allowed to present his objections to extension of the permit. By telegram received on July 29, Mr. Gibbons asked that consideration be deferred again as he was unable to be present on this date.

The staff recommendation was that the time extension be granted provided the permit include recommendations of the Air and Water Pollution Control Commission and other Department of Natural Resources recommendations to reduce silting.

Motion was made by Mr. Williams, seconded by Mr. Christian, that the staff recommendation be approved. However, Mr. Williams withdrew his motion as he had misunderstood the recommendation. He desired an opportunity to hear Mr. Gibbons' presentation of objections to the project.

Mr. Apthorp advised that the old permit had now expired, action by the Trustees having been held up on June 24, that the staff had recommended protective requirements in the permit, and that Mr.

Gibbons did not indicate that he had any additional information that was not presented last week.

Upon request of the State Treasurer, without objection the matter was deferred until next week.

GULF COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Hess Oil & Chemical Division, Amerada Hess Corporation, Port St. Joe, Florida, applied for permission to perform maintenance dredging in an existing channel in St. Joseph Bay in Section 2, Township 8 South, Range 11 West, Gulf County. Material removed would be deposited on upland property.

Biological report indicated that the area had been previously dredged, and the proposed maintenance dredging should have no adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit.

FRANKLIN COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Don T. Turner, Regional Sales Manager, Allen Kirkpatrick & Company, Inc., applied for permit to construct a channel 300 feet long by 20 feet wide by 6 feet deep, in St. Vincent Sound in Sections 8 and 9, Township 9 South, Range 9 West, to allow commercial oyster boats access during low tide. The material removed would be deposited on upland.

The biological report indicated that this area was not a nursery or feeding ground and the dredging should have no significant adverse effects on marine life.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit.

HILLSBOROUGH COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Howard F. Anderson of Riverview, Florida, applied for permit to connect his upland property to the Alafia River in Section 16, Township 30 South, Range 20 East, Hillsborough County.

The biological report indicated that dredging in the Alafia River should be confined to a proposed 24-foot boat slip and the necessary connections in the river, thereby eliminating only a small portion of the shallow water habitat.

Staff recommended approval, since the applicant had amended his application to meet the recommendations of the Department of Natural Resources.

On motion by Mr. Dickinson, seconded by Mr. Williams, the Trustees approved issuance of the dredge permit as recommended.

MARION COUNTY - Dredge and Fill Permit, Section 253.03 F. S.

W. Powe Crosby of Citra, Florida, applied for permit authorizing removal of 756 cubic yards of material from three 50-ft. wide canals to be connected to his upland property on Little Lake Ker (Lake Warner) in Section 24, Township 13 South, Range 25 East, Marion

County. The material removed would be placed on applicant's upland, and check for $75.60 was tendered by applicant as payment.

Florida Game and Fresh Water Fish Commission reported favorably on the project subject to standard stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the permit.

OKALOOSA COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.
F. B. Estergren of Ft. Walton Beach, Florida, applied for a permit to perform maintenance dredging in an existing canal adjacent to his upland on Choctawhatchee Bay in Section 7, Township 2 South, Range 24 West, Okaloosa County. The material removed would be deposited on applicant's upland.

The Department of Natural Resources biological report indicated no adverse effects on marine biological resources.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of dredge permit.

FRANKLIN COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 333.

Carrabelle Self-Service Corporation, care of Paul P. Keating, applied for permit for maintenance dredging in the Carrabelle River in Section 19, Township 7 South, Range 4 West, Franklin County. The material removed would be deposited on applicant's upland.

The Department of Natural Resources biological report indicated no adverse effects on marine resources in the area.

Also: Commercial Dock Permit, Section 253.03 Florida Statutes. The said applicant applied for a permit for a dock on the Carrabelle River in Section 19, Township 7 South, Range 4 West, Franklin County, for which all required exhibits and $100.00 processing fee were furnished.

On motion by Mr. Christian, seconded by Mr.Williams and adopted, the Trustees approved issuance of both the dredge permit to improve navigation, and the state dock permit.

VOLUSIA COUNTY - Commercial Dock Permit, Section 253.03 F. S. Riverside Garden Apartments, care of Lester R. Oldaker, Ormond Beach, Florida, applied for a permit to construct a dock in the Halifax River in Section 25, Township 14 South, Range 32 East, Volusia County, for which all required exhibits and $100.00 processing fee had been furnished.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the state dock permit.

PINELLAS COUNTY - Commercial Dock Permit, Section 253.03 F. S. The Pinellas County Water and Navigation Control Authority issued commercial dock permit, subject to Trustees' approval, to Leeco Gas and Oil Company, of St. Petersburg, Florida. All required exhibits, including $100.00 processing fee, had been furnished to the

Trustees' office and staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Christian and Mr. Dickinson, and adopted, the Trustees authorized issuance of the state dock permit.

CLAY COUNTY - File No. 2237-10-253.03, Right of Way Easement. The Department of Transportation requested dedication of right of way embracing 9.5 acres of bottoms of Doctors Inlet in Township 4 South, Range 26 East, Clay County, designated as Parcel No. 110.1, State Road 15, Section 71020-2509. A portion of the right of way was to be filled.

The bulkhead line was approved on July 8, 1969. Biological survey report by letter dated May 8, 1969, indicated that the proposed work should not adversely affect marine resources.

On motion by Mr. Williams, seconded and adopted without objection, the Trustees authorized issuance of right of way easement to the Department of Transportation.

JACKSON COUNTY - Land Acquisition, Apalachee Institution. On August 16, 1966, the W½ of NW¼ of Section 11, Township 3 North, Range 7 West, 80 acres in Jackson County, in use by the Apalachee Correctional Institution, was conveyed for $11,600.00 to the Great Northern Paper Company for construction of a paper mill. As such construction was not now planned, the company has agreed to reconvey the 80 acres at the original price. Apalachee Correctional Institution needs the land, and the Division of Adult Corrections advises that no timber has been removed and the land is equally as valuable now as in 1966.

Staff recommended reacquisition with funds of the Division, title to be vested in the Board of Trustees of the Internal Improvement Trust Fund.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees accepted the recommendation of the staff and authorized reacquisition of the 80 acres with funds of the Division.

MARTIN COUNTY - Land Acquisition, Outdoor Recreational Development Council.
On April 1, 1969, the Outdoor Recreational Development Council authorized acquisition of three tracts of private land on the Atlantic Ocean immediately south of St. Lucie Inlet, totalling approximately 618 acres at a cost of $2,450,000.00.

Title to one of the tracts, containing 338 acres, more or less, formerly owned by St. Lucie-Jupiter Co., is vested in the Lee County Bank as Trustee under a trust agreement. Subsequent to placing the title in trust all beneficial interest in the Trust was assigned to the Board by the various owners.

The Board would be in a position to request transfer of title of the tract from the Trustee, Lee County Bank, to the Board upon acceptance of the assignment of the Beneficial Interest in the said Trust.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the Trustees accept the Certificates of Beneficial

Interest from the various owners, and request the conveyance of title from the Lee County Bank.

TRUSTEES OFFICE - Mr. Apthorp explained proposed reorganization of the divisions and staff of the Trustees' office. Mr. Adams noted that approval was necessary prior to budget preparation, that the Board had a very able staff some of whom had been in responsible positions for some time, and Mr. Apthorp advised that the restructuring had been discussed with the section chiefs.

In the relatively small department, the Executive Director proposed three divisions, namely, Land Records, Land Management, and Field Operations, in addition to the Administrative Staff and a Professional Staff composed of appraiser, attorneys and land use planner.

On motion by the Attorney General, seconded by the Comptroller and adopted without objection, the Trustees approved the presentation and new positions and authorized Mr. Apthorp to proceed.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved Report No. 957 listing one regular sale of land in Gadsden County under provisions of Chapter 18296, the Murphy Act, and authorized execution of deed pertaining thereto.

INDIAN RIVER COUNTY - Indian River Farms Drainage District applied under Section 192.38(1)(b) Florida Statutes (Chapter 21684, Acts of 1943) to purchase the East 1.01 acres of the West 11.01 acres of Tract 12, Section 21, Township 32 South, Range 39 East, Indian River County, embraced in tax sale certificates No. 585 of July 7, 1930, and No. 3640 of September 4, 1933.

Applicant offered $425.00, the price recommended by the staff based on the current assessed value of $400.00 per acre.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of deed to the applicant for the price offered, under provisions of Chapter 21684 without advertisement and public sale.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: JAMES W. APTHORP

7-29-69

Tallahassee, Florida
August 5, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Earl Faircloth	Attorney General, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting on July 29, 1969.

ST. JOHNS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of St. Johns County adopted a resolution on July 8, 1969, fixing and locating a bulkhead line generally along the mean high water line of the Matanzas River in Section 27, Township 8 South, Range 30 East, St. Johns County. All required exhibits were furnished. There were no objections at the local hearing.

The Department of Natural Resources biological survey report indicated that the bulkhead line approximated the line of mean high water and would preserve a large area of productive marine habitat.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the bulkhead line established by St. Johns County Commission on July 8, 1969.

For the reason that only four members of the board were present on this date, the Trustees deferred action on the following applications:

1. CITRUS COUNTY - File No. 2188-50-253.12, confirmation of a land sale advertised for this date for Charles Kofmehl, applicant

2. PINELLAS COUNTY - Application from Mrs. Anne Gray to purchase 0.58 acre parcel in Boca Ciega Bay which the Pinellas County Water and Navigation Control Authority recommended be denied

3. BREVARD COUNTY - File No. 2232-05-253.12, application from Richard A. Bewerse to purchase 0.79 acre parcel of sovereignty land

4. PALM BEACH COUNTY - File No. 2210-50-253.129, application from Edwin M. Keough, et al, for ex parte disclaimer

5. PALM BEACH COUNTY - File No. 2241-50-253.129, application from First Bank & Trust Company of Boca Raton for disclaimer

6. PALM BEACH COUNTY - File No. 2240-50-253.129, application for a disclaimer to First Bank & Trust Company of Boca Raton

DUVAL COUNTY - File No. 2238-16-253.12.
Mr. Francis P. Conroy on behalf of Jacksonville Port Authority made application for a deed conveying lands in the vicinity of Tallyrand Docks in St. Johns River abutting Section 8, Township 2 South, Range 27 East, embracing 36.57 acres in the City of Jacksonville, Duval County, Florida, being part of the land granted to the City of Jacksonville under Chapter 6416, Laws of Florida, Special Acts of 1912, and subsequently conveyed to Jacksonville Port Authority.

In order to obtain adequate title insurance, applicant requested deed to clear the title, and staff requested authority to advertise for objections only.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized advertisement for objections only.

DUVAL COUNTY - File No. 2239-16-253.12. Mr. Francis P. Conroy on behalf of the United States of America, Corps of Engineers, made application for a deed conveying 3.91 acres of land in the vicinity of Tallyrand Docks in St. Johns River abutting Section 8, Township 2 South, Range 27 East, City of Jacksonville, Duval County, Florida, being part of the land granted to the City of Jacksonville under Chapter 6416, Laws of Florida, Special Acts of 1912, and subsequently conveyed to the Jacksonville Port Authority.

The land was to be conveyed to the United States of America and in order to obtain adequate title insurance, applicant requested deed to clear title. Staff requested authority to advertise for objections only.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized the advertisement for objections only.

PALM BEACH COUNTY - Refund, File No. 1918-50-253.12.
Staff requested authority for issuance of refund of the $50.00 application fee submitted on October 13, 1966, for a submerged land purchase application by Cedar Lane Developers, Inc., represented by S. V. Howard of Brockway, Owen & Anderson Engineers, Inc.

The application was presented to the Trustees on October 24, 1967, but due to objections filed by the Town of South Palm Beach and because of technical difficulties related to bulkhead line location, the Trustees deferred action. To date the technical problems have not been resolved.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the staff be authorized to deactivate the said application and refund the $50.00 application fee.

BREVARD AND INDIAN RIVER COUNTIES - Dredge to Improve Navigation.
Sebastian Inlet Commission, represented by James L. Beindorf and Associates, applied for permission to perform maintenance dredging in the existing channel at Sebastian Inlet in the Indian River in Sections 19 and 20, Township 30 South, Range 39 East, the material removed to be placed in spoil disposal area approved by the Trustees on May 20, 1969.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of the dredge permit.

CITY OF JACKSONVILLE, DUVAL COUNTY - File Nos. 21795 and 24653 (2003-16)-253.124; Dredge Permit, Section 253.123 and Fill Permit, Section 253.124 Florida Statutes.

Jacksonville Port Authority, represented by Managing Director Dave Rawls, applied for a dredge permit and approval of fill permit No. 2686 issued by the City of Jacksonville pursuant to Resolution No. 69-708-103 adopted July 25, 1969. The Authority contemplated excavation of 1,450,000 cubic yards of material from within the Fulton-Dames Point Cut-Off channel right of way adjacent to Blount Island. It was planned to deposit materials on lands previously acquired from the Trustees in connection with development of the Port of Jacksonville.

The Department of Natural Resources biological survey report was not adverse to filling the proposed spoil area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of dredge permit, approval of the fill permit, and waived payment for the fill material as the project was public in nature.

HILLSBOROUGH COUNTY - Extension of Fill Permit, Section 253.124; Dredge Permit, Section 253.123 F. S.; File 1931-29-253.124.

Mr. Lawrence J. O'Neil on behalf of Francis J. Corr, Paul B. Dickman, and Robert E. Lee & Co., Inc., (Apollo Beach Development), applied for a time extension of an existing fill permit approved by the Trustees on July 11, 1967. The matter was withdrawn from the agenda on June 24 for investigation, on-site inspection by a staff member was executed on July 2 to determine whether any violations of the existing permit had occurred, and the inspector reported that all work was done within designated areas outlined in the original permit.

On March 6, 1967, the Board of Conservation had protested issuance of the original permit. The Interagency Advisory Committee had recommended that the bulkhead line in this area be relocated at the line of mean high water. The county had taken no action on the staff request for review and relocation of the bulkhead line.

A dredge and fill construction permit renewal certificate was issued by the Board of County Commissioners of Hillsborough County on June 25, 1969.

In view of actions taken by the Trustees on March 21 and April 18, 1967, based upon information submitted by applicant's representatives and based upon guidelines adopted by the Board on July 1, 1969, relative to hardship matters, the staff recommended approval of the time extension subject to the applicant taking steps to reduce siltation and unnecessary damage to biological resources, such steps to be approved by Trustees' staff and incorporated in the permit renewal. Staff had requested the Department of Natural Resources and the Department of Air and Water Pollution Control to make recommendations for requirements to be placed in the permit extension.

On July 22, 1969, the Trustees deferred consideration but Mr. Myron G. Gibbons, present on behalf of the National Audubon Society, was heard. He objected to the permit based on the lack of a biological study and a detailed engineering and operational plan.

On July 29, 1969, the Trustees deferred consideration for a week at the request of the State Treasurer.

Mr. Gibbons presented objections on this date, first, that there had been a change in the law and he thought the Trustees should require biological studies under Section 253.124; second, that there should be rules and regulations requiring procedures by the dredger to reduce siltation and other damage. He said such rules and regulations were not now available from the Corps of Engineers, Federal Pollution Control Commission, Department of Air and Water Pollution Control, Hillsborough County, or the Trustees. He was in favor of the provisions the staff proposed to include in the permit, but recommended standards and rules to that requirements could be enforced.

Mr. Williams said the staff should consider Mr. Gibbons' suggestions and make recommendations to the Board. He was sure the staff would follow through and recommended approval of the staff recommendation for approval with protective provisions.

Mr. Gibbons based his objection on a third reason, that he had been informed by an Audubon warden that dredging was in process on this date in the area for which the permit had expired. Mr. Christian felt that the permit should not be issued if this was the case, asked about the posting of signs, and was advised by Mr. Randolph Hodges that it was difficult to determine the exact dredge location covered. The Attorney General mentioned performance bonds which Mr. Apthorp said the staff could incorporate in permits if it was the Board's wish.

Mr. Apthorp said that issuance of the permit could not be done immediately in any case, that the staff was to receive from the Air and Water Pollution Control Department recommendations as to provisions to be included, and with the assistance of a Conservation Officer the reported dredging in the area would be investigated at once.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that if there was no violation the Trustees approve the staff recommendation for issuance of time extension subject to applicant taking steps to reduce siltation and unnecessary damage to biological resources, but that if investigation disclosed violation the matter should be brought back to the Board next week.

OKALOOSA COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

Application was received from the Department of the Air Force, Eglin Air Force Base, for permission to perform maintenance dredging in three existing channel connections to Bens Lake, Memorial Lake and Postil Lake, Choctawhatchee Bay, Okaloosa County. The material removed would be placed on applicant's upland. Staff requested waiver of the requirement of biological report as provided in Section 253.123(3)(a) Florida Statutes, since the public need would be served by the improved navigation.

Motion was made by Mr. Christian, seconded by Mr.Williams and adopted, that the application be approved.

OKEECHOBEE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Taylor Creek Isles, Inc.,applied for permission to connect 94-foot wide by 8-foot deep canals to applicant's upland property on Taylor Creek in Section 35, Township 37 South, Range 35 East, Okeechobee County.

The material removed would be deposited on uplands of the

applicant, who tendered check for $50.00 as minimum payment for the overcut material.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

ORANGE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. James H. Houck applied for permission to remove 500 cubic yards of fill material from Lake Ola in Section 18, Township 20 South, Range 27 East, Orange County, to place on his upland property. He tendered check for $50.00 in payment for the material.

The Florida Game and Fresh Water Fish Commission reported favorably subject to the usual stipulations as to dredging.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees approved the application.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Ozona Shores Company applied for permission to remove 12,192 cubic yards of material from St. Josephs Sound in Section 11, Township 28 South, Range 15 East, Pinellas County, to be placed on applicant's upland. Check in the amount of $1,219.20 was tendered as payment for the material.

The Department of Natural Resources biological survey report indicated that the proposed project should not have adverse effects on marine life in the area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the application.

PUTNAM COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Eldridge G. Murphy applied for a permit authorizing connection of an access canal from his upland property into Dunn's Creek in Section 36, Township 10 South, Range 26 East, Putnam County. The material removed would be placed on his upland property.

The Department of Natural Resources biological report indicated that the proposed work should not have adverse effects on marine life in the area.

On motion by Mr. Christian, seconded by Mr.Williams and adopted, the Trustees approved the application.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. G. W. Reese applied for permission to remove 500 cubic yards of material in order to improve a swimming hole in Pensacola Bay at Lots 7 and 8 of Stephen's Survey of James Duncan Homestead in Santa Rosa County. He tendered check for $50.00 as payment for the material to be placed on his upland property.

The Department of Natural Resources biological report indicated that the proposed project should not adversely affect marine life in this area.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit to dredge material to improve applicant's upland.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Jerald Strickland applied for permit to perform maintenance dredging in an existing boat channel in Little Sarasota Bay in Section 6, Township 27 South, Range 18 East, Sarasota County. The material removed would be placed on upland property.

The Department of Natural Resources biological report indicated that the proposed work should not adversely affect marine life in the area.

On motion by Mr. Christian, seconded by Mr.Williams and adopted, the Trustees approved issuance of the dredge permit to improve navigation.

SUMTER COUNTY - Dredge Permit, Section 253.03 Florida Statutes. John L. Burnett applied for permit authorizing maintenance dredging in an existing channel in Lake Panasoffkee in Section 4, Township 20 South, Range 22 East, Sumter County. The material removed would be placed on applicant's upland. He tendered check for $50.00 as payment for the material.

The Florida Game and Fresh Water Fish Commission reported favorably subject to usual stipulations as to dredging.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the permit to improve navigation.

WAKULLA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Crenshaw, Kornegay and Brewer of Jacksonville, Florida,applied for permission to connect a 50-foot wide by 5-foot deep navigation channel to their upland property in the Apalachee Bay, Lot 116, Township 5 South, Range 1 West, Hartsfield Survey in Wakulla County. All material removed would be placed on upland.

The Department of Natural Resources biological report showed adverse effects from the proposed 50-foot wide channel which, however, would provide access to interior canals. The Director said the policy was to recommend approval when an access channel was needed by a riparian owner.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved the dredge permit to improve navigation.

DUVAL COUNTY - State Commercial Dock Permit, Section 253.03 F. S. Mat Roland applied for permission to construct a dock in the St. Johns River in Township 1 South, Range 29 East, Duval County. All required exhibits including the $100 processing fee had been furnished.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dock permit.

MONROE COUNTY - Stockpiled Material, Florida Keys Junior College. The staff made an on-site inspection of the Florida Keys Junior College Campus on Stock Island near Key West, Florida, and submitted to each member a report on fill material needs for development of the campus, an access channel needed for the college research vessel, and three alternative solutions.

Mr. Christian said that the Governor had requested withdrawal of

the item from the agenda, but he thought some discussion was in order. Mr. Apthorp discussed briefly what the staff thought would be necessary to cooperate with the Junior College to provide fill material and channel as well as to take care of the bids taken on July 8, 1969, for the stockpiled material. Mr. Christian said at that time the intention was to try to help the Junior College get campus sites filled, but after study it was evident that the negotiated bid taken under advisement on that date was not legal, and that action should be rescinded.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the Trustees rescind their action on July 8 approving in concept the proposal submitted by William G. Stevens, and that consideration of the report and recommendations of the staff be deferred until August 19 when Governor Kirk would be present.

SUBJECTS UNDER CHAPTER 18296

DADE AND HILLSBOROUGH COUNTIES - Refunds, Murphy Act Lands. The Department of Transportation declined to recommend release of state road right of way reservations contained in the following numbered Murphy Act deeds for which release had been requested and fees submitted: Dade County Deed No. 1981, Sidney Efronson, applicant; Hillsborough County Deed No. 889, Stella A. Cackowski, applicant.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of refunds in the amount of $15.00 to each of the applicants.

On motion duly adopted, the meeting was adjourned.

Earl Faircloth
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

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8-5-69

Tallahassee, Florida
August 12, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting on August 5, 1969.

The Trustees deferred action on the following applications, for the reason that only four members were present:

1. MONROE COUNTY - File No. 2174-44-253.12, confirmation of a land sale advertised for this date for the U. S. Department of the Navy, applicant

2. CITRUS COUNTY - File No. 2188-09-253.12, confirmation of a land sale to Charles Kofmehl, applicant.

3. BREVARD COUNTY - File No. 2232-05-253.12, application from Richard A. Bewerse to purchase 0.79 acre parcel of sovereignty land recommended for denial

4. PINELLAS COUNTY - Application from Mrs. Anne Gray to purchase 0.58 acre parcel in Boca Ciega Bay, recommended for denial by the staff and the Pinellas County Water and Navigation Control Authority

5. PALM BEACH COUNTY - File No. 2210-50-253.129, application from Edwin M. Keough, et al, for ex parte disclaimer

6. PALM BEACH COUNTY - File No. 2241-50-253.129, application from First Bank & Trust Company of Boca Raton, Florida, for disclaimer

7. PALM BEACH COUNTY - File No. 2240-50-253.129, application from First Bank & Trust Company of Boca Raton, Florida, for a disclaimer

8. INDIAN RIVER COUNTY - File No. 2245-31-253.12(6), application from Caudebec, Inc., for quitclaim deed

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MONROE COUNTY - File No. 2125-44-253.12, To Be Advertised. Howard P. Bonebrake and wife, represented by Bailey, Mooney, Post Associates, Inc., applied to purchase a parcel of sovereignty land containing 0.55 acre in Florida Bay abutting Section 15, Township 64 South, Range 36 East, Lower Matecumbe Key, Monroe County, appraised at $636.36 per acre, for the purpose of constructing a small jetty and basin for protection of applicant's upland property.

The biological report stated that sale and subsequent development should not have significant adverse effects on marine life, and the staff indicated that sale would be consistent with previous sales of adjacent submerged lands.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 2161-44-253.12, To Be Advertised. James J. Bell, Sr., and wife, represented by Bailey, Mooney, Post Associates, Inc., applied to purchase a 0.28 acre parcel of sovereignty land in the Gulf of Mexico abutting Section 15, Township 64 South, Range 36 East, Lower Matecumbe Key, Monroe County, appraised at $714.28 per acre. Applicants offered $200.00 for the parcel for the purpose of constructing a small jetty and basin for protection of their upland property.

The biological report indicated no significant adverse effects on marine resources in the area from sale and subsequent development of the parcel, and staff was of the opinion that sale of the parcel would be consistent with previous sales of adjacent submerged lands.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized advertisement of the parcel for objections only.

SARASOTA COUNTY - File No. 2019-58-253.12, Reconfirmation of Sale; Deed Restriction.
On January 28, 1969, the Trustees confirmed sale of a 0.93 acre parcel of filled sovereignty land abutting upland of Per A. O. Scheutz, et ux, provided a limited use and reverter provision should be included in the instrument of conveyance. On June 17 consideration was given to an appropriate restrictive covenant, and action was deferred on July 15 because only four members of the Board were present. After further review of the Trustees' discussion and action taken on June 17, the staff proposed a clause to become a part of the instrument of conveyance and requested authority to issue the deed.

The Director explained that the language in the deed had been a controversial matter and the approval of the Board was needed.

Mr. J. A. McClain, Jr., representing Mr. Scheutz, was present to request different language from that proposed by the staff. Explaining that the application had been pending for two years involving a small parcel affected by a drainage easement and street set-back requirement adjacent to a two and one-half million dollar apartment condominium development, Mr. McClain reviewed the previous presentation, the appraisals, the protests received by the Trustees, and said that during the whole time the applicant had said there would be no building on the parcel for revenue-producing purposes, but that it would be used for beautification and recreation uses. He said that on January 28 they paid $26,505.00 for the land, that they agreed to pay for the second appraisal, which they did, and that delay in improving the parcel in front of the condominium was hurting the development and sales.

Mr. McClain said that in June he wrote to each member of the Board a four-page letter which stated the plans for the parcel included no building other than a swimming pool and one-story building complementary thereto, for restrooms and showers, that beautification would be in keeping with the high quality of the

apartment complex.

Governor Kirk pointed out that in previous discussion Mr. McClain had agreed that there would be largely parks and landscaping. He questioned whether the appraiser had considered the use for a swimming pool and noted that there were other swimming pools shown on the development plan.

Motion was made by Mr. Adams, seconded by Mr. Dickinson, that the Trustees approve issuance of deed with the language proposed by the staff amended to allow the developer to construct a swimming pool and one-story bath house purely for recreation use.

Mr. Dickinson mentioned that this was only a motion for the language in the instrument. The conveyance had been approved on January 28. Mr. McClain said he had ascertained from the Attorney General's office that an affirmative vote of five was not required as the sale was not under consideration - just the language in the deed.

Governor Kirk said he would not vote for having a swimming pool and bath house on the parcel. Mr. Williams said he would vote in the affirmative as he thought a swimming pool would be a recreational use, with landscaping.

On the vote of three to one, the Trustees authorized issuance of the deed with the following restrictive covenant and reverter provision:

> "PROVIDED, HOWEVER, that the aforedescribed parcel of land may be used only for recreational and beautification purposes accessory to the use of the upland property, and FURTHER PROVIDED, that no buildings may be erected on said parcel, except that a swimming pool and a single story building complementary thereto may be constructed on said parcel; and FURTHER PROVIDED, that in the event of non-compliance with the aforestated covenant, said parcel shall automatically revert to the Trustees."

DADE COUNTY - Waiver of Restriction.
The City of Miami by Resolution No. 40839 dated July 10, 1969, requested waiver of the use restriction "for municipal purposes only" in Trustees Deed No. 19448 dated February 24, 1949, which conveyed to the city sovereignty lands bayward of the established bulkhead line. Waiver was requested for an area of 1.0 acre abutting the area for which waiver was granted by the Trustees on February 5, 1963, and would allow extension of the docking facilities of the Biscayne Yacht Club. There would be no dredging or filling of the area and no change in the bulkhead line.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted, the Trustees approved waiver of the municipal purpose clause by appropriate instrument approved by the Attorney General covering Biscayne Yacht Club's proposed dock extension, subject to the said club obtaining necessary dock permit from the Board of Trustees, the U. S. Corps of Engineers, and the City of Miami.

PINELLAS COUNTY - Litigation. Kennedy, et al, vs. Kirk, et al, Civil No. 10,900; 6th Judicial Circuit.
The Trustees were parties defendant in the above-styled cause, and to adequately defend the Board it had been determined necessary

to retain experts in the field of geology, oceanography, and local land surveying firms. Staff requested authority to expend funds for that purpose.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees authorized expenditure of such funds as reasonably necessary to provide defense in the suit.

Mr. Dickinson had to leave the meeting. He authorized Mr. Adams to cast an affirmative vote for him on all the following matters.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. Without objection, the Trustees waived the advance agenda requirement for consideration of a bulkhead line urgently needed by the Department of Transportation for construction of the Newfound Harbor Bridge.

The Board of County Commissioners of Brevard County adopted a resolution on August 7, 1969, fixing a bulkhead line and revising an existing bulkhead line in Section 25, Township 24 South, Range 36 East, Brevard County. All required exhibits were furnished and there were no objections at the local hearing.

The biological survey report from the Department of Natural Resources indicated that the proposed project should not have adverse effects on marine life in the area.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the Trustees approve the bulkhead line as located and fixed by Brevard County on August 7, 1969.

DADE COUNTY - Dredge Permit, for Beach Nourishment; Section 253.123 Florida Statutes.
Application was made for 100 Lincoln Road Company, by Little River Marine Construction Co., Inc., for permit to dredge 15,500 cubic yards of material from the Atlantic Ocean in Section 34, Township 53 South, Range 42 East, Dade County, for beach nourishment use.

The Bureau of Beaches and Shores Division of the Department of Natural Resources approved the proposed project.

Applicant had agreed to quitclaim any right, title, interest and claim whatsoever, in and to any sovereignty land filled during beach nourishment, riparian to applicant's upland.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved the dredging for beach nourishment.

ESCAMBIA COUNTY - Dredge Permit to Improve Uplands, Section 253.123 F. S., FileNo. 338.
The Department of the Navy applied for permission to remove 260,000 cubic yards of material from bottoms adjacent to the Intracoastal Waterway in Pensacola Bay in Sections 16 and 17, Township 3 South, Range 31 West, Escambia County, to deposit on upland property for extension of a runway.

The Department of Natural Resources biological report indicated no adverse effects on marine resources from the proposed work.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees granted the permit without charge for the material.

ESCAMBIA COUNTY - Dredge Permit to Improve Beach Area, Section 253.123 Florida Statutes.

Charles N. Norton applied for permission to remove sand and accumulated silt from his boat basin to improve his beach area in Bayou Texar in Sections 2 and 5, Township 2 South, Range 29 West, Escambia County. He offered check for $50.00 for the material which would all be placed on his beach area.

The Department of Natural Resources biological report indicated that the project should not adversely affect marine life in the area, since it was a small project.

On motion made by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit.

LAKE COUNTY - Dredge Permit, to Improve Uplands, Section 253.03.

Thomas R. Gale of Mount Dora, Florida, applied for permit to remove 50 cubic yards of material from Lake Gertrude in Section 30, Township 19 South, Range 27 East, Lake County. He tendered check in the amount of $50.00 for the material to be deposited on his upland property.

The Florida Game and Fresh Water Fish Commission reported favorably on the project, subject to normal stipulations in the permit as to dredging.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the Trustees approve issuance of the dredge permit.

DADE COUNTY - Electric Distribution Line.

Florida Power and Light Company, Miami, Florida, desired to release and return to the Trustees and State of Florida a portion of a 170-foot wide right of way acquired from the Trustees and the State of Florida in 1963, in return for acquisition of additional right of way in order to relocate and commence immediate construction of a high voltage transmission line. In exchange for 28.06 acres of new right of way in Section 23, Township 53 South, Range 39 East, Dade County, the company would return 36.62 acres of right of way in Sections 14 and 23 in said township and range, acquired from the Trustees in Easement No. 23474 dated September 9, 1963, and from the State of Florida, Chapter 18296, Acts of 1937, the Murphy Act, by easement dated February 11, 1964.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the Trustees approve the return and granting of new right of way by appropriate instrument.

OKALOOSA COUNTY - Electric Distribution Line.

The Choctawhatchee Electric Cooperative, Inc., DeFuniak Springs, Florida, requested a right of way 1320 feet long across the North 20 feet of the NE¼ of NE¼ of Section 3, Township 5 North, Range 25 West, Okaloosa County, for furnishing electric service to a private landowner.

The requested easement would cross a portion of the Blackwater River State Forest. The Division of Forestry had reviewed and approved the request.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the requested easement.

CLAY COUNTY - The Director advised that a Florida Game and Fresh Water Fish Officer had been arrested for trespassing while investigating a reported illegal lake fill operation in Lake Geneva, Clay County. The staff had felt an obligation and asked the Attorney General for assistance, as the Trustees' office had received excellent cooperation from the Game and Fish officers in surveillance and helping enforce the law. Assistant Attorney General Steve Slepin had gone to Clay County and after the law and the Trustees' administrative rules were explained to the violator's attorney, the charges were withdrawn and the officer released. The reported filling would be followed up by the staff.

Mr. Adams asked about the field force needed to adequately defend the tremendous values in state submerged lands, including fresh waters, and whether the approximate 200 violations reported per quarter had been investigated by the staff. Mr. Apthorp said they did the best they could, and that justification for an increased staff would be filed with the Division of Planning and Budgeting.

Answering Governor Kirk's question about funds, Mr. Apthorp said the Trustees could use funds derived from the sale of lands, fill material, and fees - not General Revenue funds.

The Board accepted the report.

HILLSBOROUGH COUNTY - File No. 1931-29-253.124 (Apollo Beach), Dredge Permit, Sec. 253.123, and Extension of Fill Permit, Sec. 253.124 Florida Statutes.

On August 5, 1969, the Trustees considered the application made by Lawrence J. O'Neil on behalf of Francis J. Corr, Paul B. Dickman, and Robert E. Lee & Co., Inc., for a time extension of an existing fill permit approved by the Trustees on July 11, 1967, and directed the staff to investigate a statement that dredging was done after expiration of the permit.

The Director advised that the Seward Dredging Company did, in fact, operate after expiration of the permit due to misunderstandings, that they immediately stopped upon learning that the permit had expired, and had not operated the dredge since August 4th. The Director said the shut-down had been, in effect, a penalty, and under the circumstances the staff recommended no penalty but that conditional extension be granted for only the portion identified as parcel 8 on the map, for a period of only 90 days under conditions worked out to provide acceptable standards to reduce siltation, pollution and unnecessary damage to marine biological resources. Before any time extension of the conditional permit would be recommended, the applicants would be required to submit a complete dredging plan for the entire project.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted, that the rules be waived and the Trustees authorize issuance of the conditional permits for dredging and filling as recommended by the staff. Mr. Dickinson, out of the room when the vote was taken and contacted by the Director after the meeting, also approved issuance of the conditional permit for the Apollo Beach project.

BISCAYNE NATIONAL MONUMENT - Mr. Apthorp asked for advice on how to pursue the litigation instituted by the City of Islandia concerning the Trustees' approval of the condemnation of submerged lands in Biscayne Bay for Biscayne National Monument. The Trustees' office had no attorneys on the staff yet, and the normal procedure

would be for the Attorney General's office to handle litigation. The Reorganization Act provided that the Board might retain other counsel in the wisdom of the Board, in lieu of legal services provided by the Attorney General and the Department of Legal Affairs. It would be necessary to file an answer within twenty days.

Assistant Attorney General Herbert Benn was present, representing Attorney General Earl Faircloth. He said their services had been offered to handle the litigation, they were ready and able to represent the Trustees until the legal in-house positions were filled, and that they had not discussed the hiring of outside counsel for the litigation.

Mr. Williams thought the Attorney General should represent the Trustees, and that the Board should expedite securing the legal positions requested by the Director for the Trustees' office.

Mr. Adams said he appreciated the position of the Attorney General in desiring to know the wishes of the Board in the light of the statement in the Reorganization Act and on boards where he is a member, that the Attorney General had a very able staff and Mr. Benn said they could handle the matter - which was going to be a very involved suit. However, Mr. Adams said, it appeared appropriate in this case to authorize the staff to secure outside counsel and he so moved.

Mr. Benn said that because of the intent of the Reorganization Act that when the Attorney General sits as a policy maker as in this instance, and where there might be professional conflicts of interest apparent, that the Legislature allowed hiring of outside counsel; and on that predicate the Attorney General and Department of Legal Affairs had suggested consideration and deferred to the wisdom of the members of the Board.

Mr. Williams agreed reluctantly to retaining outside counsel, suggesting that when competent attorneys were added to the Trustees' office staff they might take over the litigation and thereby save some money.

On the motion by the Secretary of State, duly adopted, the Trustees authorized the Director to retain outside legal counsel to defend the lawsuit which had been filed against the Trustees concerning the transfer of lands in Biscayne Bay for Biscayne National Monument. Mr. Dickinson was momentarily out of the room when the vote was taken but in discussion immediately following the meeting, he agreed to the action of the three members of the Board who were present.

Treasurer Broward Williams called attention to information he had received that owners of land in Islandia were not being offered fair prices for their land by the Federal Government, that owners not able to offer their property on the market because of the impending acquisition for the Biscayne National Monument were put in a position of having prices depressed and not being offered even what they had paid for the land. He asked for an investigation. Mr. Williams said he had signed the resolution to assist the Federal Government to get the appropriation to purchase private holdings, but he had not signed any deed and was disturbed about the complaints he had heard.

Governor Kirk said the Trustees could call on the Corps of Engineers to give a report on their progress, the appraisals being made, and answer the questions raised by Mr. Williams.

It was so ordered.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
August 19, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting on August 12, 1969.

MONROE COUNTY - File No. 2174-44-253.12, Land Sale.
On June 17, 1969, the Trustees considered application from the United States Department of the Navy to purchase a parcel of filled sovereignty land abutting Pier B, Key West Naval Station, Key West, containing 0.05 acre, more or less, in Monroe County. The parcel, to be used in connection with naval docking facilities, had been filled some time subsequent to the enactment of Chapter 57-362, Laws of Florida, during the time filling by public bodies was exempt from said act.

The sale was advertised in the Key West Citizen, proof of publication filed, and no objection was received. The biological report was not adverse, and on the advertised sale date, August 12, five members were not present and action was deferred.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees confirmed sale of the parcel at the minimum charge of $100.00 offered by the Department of the Navy.

CITRUS COUNTY - File No. 2188-09-253.12, Land Sale.
On June 3, 1969, the Trustees considered application from Charles Kofmehl of Crystal River, Florida, to purchase a parcel of heretofore filled sovereignty land abutting Government Lot 4, Section 21, Township 18 South, Range 17 East, containing 1.628 acres in the City of Crystal River, Citrus County, to be used in connection with enlarging a marina operation. Notice of sale was published in the Suncoast Sentinel, proof of publication filed, and no objection received. The land was appraised at $4,153.22 per acre which the staff considered a fair evaluation.

The biological report was not adverse. The bulkhead line approved by the Trustees April 8, 1969, in subject area was located approximately at the mean high water line.

The sale, advertised for consideration on August 5, was deferred on that date and on August 12 for the reason that five members were not present.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted, that sale of the advertised parcel be confirmed.

BREVARD COUNTY - File No. 2232-05-253.12, Application to Purchase.
Richard A. Bewerse of Indian Harbor Beach, Florida, applied to purchase a parcel of sovereignty land in the Banana River abutting the North 258.42 feet of Lot 8, Dickinson's Subdivision, Plat Book 1, Page 37, lying in Section 8, Township 26 South, Range 37 East, South Merritt Island in Brevard County, containing 0.79 acre.

The biological report stated that sale and subsequent development of the area would not be in the best interest of conservation and would adversely affect marine life. The parcel was in the proposed Banana River Aquatic Preserve. The Interagency Advisory Committee had recommended relocation of the bulkhead line at the mean high water line, but Brevard County had reconfirmed the line as located.

Staff recommended that the application be denied and the $50.00 application fee be refunded to the applicant.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved the recommendation to deny the application and refund the $50.00 fee.

PALM BEACH COUNTY - File No. 2233-50-253.12, Application to Purchase.
Without objection, at the suggestion of the Director the application of Dr. Raymond Roy to purchase 0.512 acre parcel of sovereignty land in Lake Worth abutting Section 27, Township 43 South, Range 43 East, City of West Palm Beach, was removed from the agenda on this date.

PINELLAS COUNTY - Application for Land Sale.
The Pinellas County Water and Navigation Control Authority advertised and scheduled for consideration by the Trustees on July 29, 1969, an application from Mrs. Anne Gray, represented by Thomas

Newman, Trustee, Union Trust National Bank of St. Petersburg, Florida, to purchase a 0.58 acre parcel of sovereignty land in Boca Ciega Bay landward of the existing bulkhead line and abutting Lots 6 and 7, Block E, Jungle Shores, as recorded in Plat Book 6, Page 4, Public Records of Pinellas County, in Section 13, Township 31 South, Range 15 East, Pinellas County. Recommendations from the Authority, received subsequent to closing the agenda of the 29th, were listed on August 5 and 12 and action deferred for the reason that five members were not present.

The Authority denied the application on the basis that the parcel was in the Boca Ciega Bay Aquatic Preserve created by Chapter 69-342, Acts of 1969. Staff recommended confirmation of the denial.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees denied the land sale applied for by Mrs. Gray.

PALM BEACH COUNTY - File 2210-50-253.129, Ex Parte Disclaimer. Ray G. Ruyle, Manager of Lake Worth Title & Guaranty Co., on behalf of Edwin M. Keough, et ux; George E. Alexander, et ux; William A. Friffor, et ux; H. A. Lammi; and City of Lake Worth, a Municipal corporation, requested issuance of an ex parte disclaimer pursuant to Section 253.129 Florida Statutes, for 0.645 acre parcel of sovereignty land in Lake Worth filled prior to the enactment of Chapter 57-362, Laws of Florida, abutting Lot 1, Block "C", North Lake Worth, according to Plat recorded in Plat Book 5, Page 48, Public Records of Palm Beach County, in the City of Lake Worth, Florida.

All necessary documents were submitted and staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of ex parte disclaimer for the usual $100 processing fee.

PALM BEACH COUNTY - File No. 2241-50-253.129, Disclaimer. Brockway, Owen & Anderson Engineers, Inc., on behalf of First Bank and Trust Company of Boca Raton, Florida, requested issuance of a disclaimer pursuant to Section 253.129 Florida Statutes, for 1.415 acre parcel of sovereignty land in Lake Worth filled prior to enactment of Chapter 57-362, Laws of Florida, abutting Lots 110, 111, 112 and 113, Palm Beach Estates, according to plat recorded in Plat Book 8, Page 3 of the Public Records of Palm Beach County, in Section 14, Township 44 South, Range 43 East, Town of Palm Beach, Florida.

All necessary documents were submitted and the staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the disclaimer for $100 processing fee.

PALM BEACH COUNTY - File No. 2240-50-253.129, Disclaimer. Brockway, Owen and Anderson Engineers, Inc., on behalf of First Bank and Trust Company of Boca Raton, Florida, applied for a disclaimer pursuant to Section 253.129 Florida Statutes, for 0.325 acre parcel of sovereignty land in Lake Worth filled prior to enactment of Chapter 57-362, Laws of Florida, abutting the North

100 feet of Lot 120 and Lot 119, Palm Beach Estates, according to plat recorded in Plat Book 8, Page 3 of Public Records of Palm Beach County, Florida, in Section 14, Township 44 South, Range 43 East, Town of Palm Beach, Florida.

All necessary documents were submitted and staff recommended approval.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the Trustees authorize issuance of the disclaimer for the $100 processing fee.

INDIAN RIVER COUNTY - File 2245-31-253.12(6), Quitclaim Deed. Lloyd & Associates, representing Caudebec, Inc., a Florida corporation, requested issuance of a quitclaim deed to a 0.816 acre parcel of sovereignty land filled prior to June 11, 1957, abutting Lots 1, 2, 3 of I. D. Jandreau Subdivision of a part of Section 29, Township 32 South, Range 40 East, City of Vero Beach, Indian River County.

Under provisions of Section 253.12(6) it was mandatory to convey sovereignty lands filled prior to June 11, 1957, for the appraised value of such lands as they existed prior to filling. A parcel of submerged land sold by the Trustees on September 20, 1966, (TIIF Deed No. 24377(1898-31) immediately adjacent to the subject land, was valued at $200 per acre.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that quitclaim deed be issued for $164.00 consideration.

COLLIER COUNTY - File No. 1679-11-253.12, Corrective Deed. William H. Gracely, on behalf of Marco Towers, Inc., requested issuance of a deed to correct an error in bearing in Trustees Deed No. 24111 dated November 15, 1965, embracing 3.6 acres of sovereignty land in Big Marco Pass in Section 6, Township 52 South, Range 26 East, Collier County.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of corrective deed without charge.

MONROE COUNTY - Florida Keys Junior College; Stockpile. On July 8 the Board considered a proposal submitted by the high bidder for the stockpile of material which would fill four areas for the Florida Keys Junior College and the staff was directed to study the relative values and refer to the Attorney General the preparation of a suitable contract. However, since this was not the basis on which bids were taken, the Attorney General advised that it constituted a negotiated bid and was not legal. William G. Stevens, the high bidder, had been informed that the bid had to be rejected for that reason.

The staff had made on-site inspection of the Florida Keys Junior College campus on Stock Island near Key West, consisting of filled, partially filled, and submerged lands, determined that 555,700 cubic yards of fill material would be needed to complete development of the campus and a channel to permit deep water access for the research vessel. A report submitted to the Trustees on this date showed three alternates for disposal of the stockpile and recommended advertisement for bids for the construction of the access channel and the placement of 555,700 cubic yards of material in designated

areas in accordance with specifications for the campus, in exchange for the balance of the material subject to (1) campus site to be completed within two years, (2) entire project and balance of material removed within four years, (3) bond in sufficient amount to insure completion of campus and bond might be reduced upon completion of portions of the campus. If feasible, the minimum acceptable bid for the balance of the material should be 10¢ per cubic yard.

The Trustees discussed the staff proposal and Mr. Christian called on Dr. John S. Smith, President of the Junior College, and Dr. Lee Henderson, Director of the State Division of Junior Colleges, for remarks. Mr. Adams thought the stockpile might be reduced not to submerged land but to a usable level, leaving valuable real estate. Governor Kirk asked about the origin of the stockpile of material.

Mr. Stevens said his check had not been returned and indicated that his offer at the rate of 50¢ per cubic yard for the stockpile still held and he would like to bid on the access channel work separately.

Mr. Apthorp said the staff would rework the proposal if the Board preferred to have it handled differently, that they had no assurance that they would get any bids on the basis recommended today but had felt it might be a solution of the excess material already in the stockpile, the access channel and completion of the Junior College site.

Governor Kirk pointed out the value of fill material as the only way to get usable land in the Florida Keys, where conditions were so different. He said the Trustees should recognize the problems in Monroe County and relieve the conditions caused by the moratorium, asking for recommendations from the staff.

Motion was made by Mr. Williams that the staff confer with those who raised questions today, rework their recommendation and bring it back to the Board next week. Mr. Christian summarized that the proposal should include reduction of the stockpile to a useful level, dredging of the desired access channel and furnishing material to the Junior College, and sale of the balance of the fill material removed from the access channel.

It was so ordered.

CLAY COUNTY - File No. 2237-10-253.124 Fill Permit.
The Department of Transportation requested approval of fill permit as adopted by the Board of County Commissioners of Clay County by resolution on July 30, 1969, for filling an area in Doctors Inlet in Section 33, Township 4 South, Range 26 East, Clay County, for the construction of State Road 15 (U. S. No. 17).

The bulkhead line for the area was approved July 8, 1969, right of way dedicated July 29, 1969. The biological report of May 8, 1969, was not adverse to the project.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees approved the fill permit.

MONROE COUNTY - Dredge Permit To Improve Navigation, Section 253.03 Florida Statutes.
Dr. Richard C. Webster of Islamorada, Florida, applied for permit to construct a 50 ft.wide by 5 ft. deep by 400 ft. long navigation channel adjacent to his upland in Matecumbe Bight in Section 21,

Township 64 South, Range 36 East, Monroe County. Material removed would be placed on applicant's upland.

There would be adverse effects on marine life, according to the biological report from the Department of Natural Resources. But the channel would provide the applicant access to his upland.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

Marshall Reinig applied for permission for a navigation channel 50 ft. wide, 5 ft. deep and 220 ft. long, adjacent to his upland in the Atlantic Ocean in Section 6, Township 62 South, Range 39 East, Monroe County. Material removed would be placed on his submerged land purchased under Trustees Deed No. 21393, Tract 4.

The Department of Natural Resources had reported that the proposed fill in a portion of Tract 4 would adversely affect marine resources, but that the dredging would provide access to the upland. Applicant revised his proposed fill area to reduce the adverse effects and staff recommended approval of the permit.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the fill permit as recommended.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

Douglas R. Gaines of Marathon, Florida, applied for permit for the construction of a navigation channel adjoining his upland in Florida Bay, 75 ft. wide, 15 ft. deep, 2100 ft. long, and a channel 30 ft. by 5 ft. by 1120 ft. long in Section 6, Township 66 South, Range 33 East, Monroe County.

The material removed would be placed on his upland, and he tendered check in the amount of $5,100.00 as payment for material from the overcut.

The Department of Natural Resources indicated that there would be definite adverse effects from the proposed channels. The applicant revised his application in order to minimize the damage to marine life, and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of dredge permit as recommended.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

J. R. Matthews, Big Pine Key, Florida, applied for permit to construct a navigation channel 40 ft. wide, 10 feet deep by 400 ft. long, adjacent to Government Lot 2 in Section 14, Township 66 South, Range 29 East, on Big Pine Key in Monroe County. He tendered check for $474.10 as payment for material from the overcut.

The Department of Natural Resources biological report indicated limited adverse effects on marine resources from the proposed work.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit.

ST. JOHNS COUNTY - Dredge Permit, Submarine Cable Installation, Section 253.123 Florida Statutes.

Gateway Cable T. V.,Inc., St. Augustine, Florida, applied for permit for installing a submarine cable across the Matanzas River in Township 7 South, Range 30 East, in St. Augustine.

The Department of Natural Resources biological survey report indicated no significant effect on marine resources.

On motion by Mr. Faircloth, seconded by Mr.Adams and adopted, the Trustees approved issuance of the dredge permit.

VOLUSIA COUNTY - Dredge Permit, Submarine Cable Installation, Section 253.123 Florida Statutes.

Florida Power and Light Co., Daytona Beach, Florida, applied for permit for installing a submarine cable across the Indian River in Section 6, Township 18 South, Range 34 East, Volusia County.

The Department of Natural Resources biological report indicated no significant effects on marine resources.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the dredge permit be approved.

PINELLAS COUNTY - State Commercial Dock Permits, Section 253.03 Florida Statutes.

Pinellas County Water and Navigation Control Authority issued commercial dock permits, subject to Trustees' approval, to

(1) Tampa Bay Engineering Co., St. Petersburg, Florida, for a dock in Smacks Bayou in Section 9, Township 31 South, Range 17 East, and

(2) T. B. Malloy, Treasure Island, Florida, for a dock in Boca Ciega Bay adjacent to Lots 21 and 22 Block 3, Sawyer & Harrell's Addition to Boca Ciega Pass.

All required exhibits and $100 processing fee were furnished for each application.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that issuance of the dock permits be approved.

BREVARD COUNTY - File No. 2247-05-253.03, Right of Way Easement.

By resolution dated August 14, 1969, Brevard County requested easement for road right of way embracing 9.66 acres over bottoms of New Found Harbor in Section 25, Township 24 South, Range 36 East, for the construction of North-South Road. The Trustees approved bulkhead line for the area on August 12, 1969.

The biological report indicated that the project should not have adverse effects on marine life.

Motion was made by Mr. Christian, seconded by Mr. Conner and adopted, that the Trustees authorize issuance of the right of way easement.

BREVARD COUNTY - Temporary Easement for Dredge Area.

By resolution dated August 14, 1969, Brevard County requested a temporary easement for a dredge area of 11.02 acres in Section 25,

Township 24 South, Range 36 East, to be used in the construction of the North-South Road, New Found Harbor, Brevard County.

The biological survey report indicated that the proposed project should not have adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the temporary easement.

BREVARD COUNTY - File No. 2247-05-253.123 and 253.124, Dredge and Fill Permits.

By resolution dated August 14, 1969, Brevard County requested a dredge permit and approval of a fill permit to be used in construction of the North-South Road, New Found Harbor , Section 25, Township 24 South, Range 36 East, Brevard County.

The bulkhead line for the area was approved by the Trustees on August 12, 1969. The biological survey report indicated that the proposed project should not have adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr.Conner and adopted, the Trustees approved the fill permit issued by Brevard County under provisions of Section 253.124, and authorized issuance of dredge permit under Section 253.123 Florida Statutes.

BREVARD COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

The Department of Transportation applied for permit to perform maintenance dredging in the Indian River in Township 24 South, Range 37 East, Brevard County, to provide access for equipment to facilitate construction of the proposed bridge on State Road 528. The material to be removed will be placed on the road right of way.

The Department of Natural Resources biological report indicated that dredging in this area would adversely affect marine life. However, staff recommended approval of the permit since the channel was needed for the bridge construction.

On motion by Mr. Christian, seconded by Mr.Conner and adopted, the Trustees approved issuance of the dredge permit.

DADE COUNTY - File No. 18337 and 21655-13-253.124; Dredge Permit, Section 253.123, and Fill Permit, Section 253.124, Florida Statutes.

On July 29, 1969, the Trustees received for study various materials filed by Judge Marion E. Sibley, attorney for Gables by the Sea, Inc., applicant for a dredge permit and approval of a fill permit issued by the City of Coral Gables on May 13, 1969, to fill approximately 175 acres of land previously acquired from the Trustees. Check had been tendered in payment for an estimated 1,300,000 cubic yards of material proposed to be dredged bayward of the established bulkhead line within the City of Coral Gables in Dade County.

The Interagency Advisory Committee had recommended relocation of the bulkhead line to the line of mean high water. City of Coral Gables had confirmed its present bulkhead line.

The Department of Natural Resources biological survey report was adverse. The area was re-examined and a supplemental report dated

August 6, 1969, stated that the massive project would have definite and permanent adverse effects on marine life. Marine biologist Robert Routa showed the Trustees some slides taken of the proposed dredge and fill site.

Mr. Apthorp said that because of the adverse biological report and because the City of Coral Gables had not adjusted its bulkhead line as recommended by the Interagency Advisory Committee, the staff recommended denial of the application.

Motion was made by Mr. Christian, seconded by Mr. Conner and adopted, that the application be denied.

DUVAL COUNTY - Conveyance of Land for Park.
The Division of Recreation and Parks, Department of Natural Resources, requested the Board to convey title to the North 480 feet of Tract "K" per plat of Dewees Ocean Acres, recorded in Plat Book 20, Page 15 of the Public Records of Duval County, to the City of Jacksonville for park purposes only. The former Outdoor Recreational Development Council on January 28, 1969, had authorized and recommended the conveyance subject to the requirement that the property be used for park purposes only, and that the park be named for Dr. Kathryn Abby Hanna.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized the conveyance by deed approved by the Attorney General containing the above recited requirements and a reverter clause for use other than park purposes and non-use for three years.

STATE PARK AND RECREATION AREA LEASE AGREEMENTS.
The Division of Recreation and Parks, Department of Natural Resources, requested the Board to enter into the following listed lease agreements which had been authorized by the former Outdoor Recreational Development Council on June 17, 1969, and all proposed lease agreements approved by the office of the Attorney General:

1. Bear Creek Nature Park in Gadsden County, to the Division of Recreation and Parks
2. Lone Cabbage Fishing Camp in Brevard County, to Brevard County
3. Peace River Lake in DeSoto County, to Florida Game and Fresh Water Fish Commission
4. Stone Lake in Escambia County, to Florida Game and Fresh Water Fish Commission
5. Temple Mound Park in Okaloosa County, to the City of Fort Walton Beach
6. Cape Florida in Dade County, to the Division of Recreation and Parks
7. Caladesi Island in Pinellas County, to the Division of Recreation and Parks
8. Wekiwa Springs Park, in Orange and Seminole Counties, to the Division of Recreation and Parks
9. St. Lucie Inlet State Park in Martin County, to the Division of Recreation and Parks.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the nine lease agreements formerly authorized by the Outdoor Recreational Development Council and approved by the office of the Attorney General.

ORANGE AND SEMINOLE COUNTIES - Electric Distribution Easement. Florida Power Corporation of St. Petersburg, Florida, requested necessary easements for installation of three-phase and single-phase electric lines within the Wekiwa Springs State Park. The Division of Recreation and Parks, Department of Natural Resources, had reviewed and approved the request.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted, that the application be approved.

HILLSBOROUGH COUNTY - Junior College Site.
At the request of Governor Kirk the conveyance of the south half (80 acres) of the tract of land held by the Board for the W. T. Edwards Tuberculosis Hospital in Tampa to the Board of Trustees of the Hillsborough Junior College for a junior college site, which was approved by the Board on July 8, 1969, was placed on the agenda for reconsideration.

The staff secured an appraisal and prepared a plot plan of the entire 160-acre hospital property showing location of improvements and the division line between the south and north halves. The fair market value of the 80 acres as determined by the staff appraiser of the Division of Recreation and Parks was $1,489,250.00. To eliminate taking in a part of the main hospital building, the area proposed to be conveyed could be reduced to 74 acres, of which the value would be approximately $1,402,050.00. Mr. Christian said the 74 acres would be acceptable.

In view of the sizable donation of land from the state, Mr. Adams recommended it be with the understanding that sites for two additional junior college campuses would be provided locally, and advised that Plant City had offered a site. Mr. Christian mentioned other sites which the Junior College Board had not yet evaluated, and said the county school board had pledged $430,000 for purchase of a downtown site in Ybor City. He and Mr. Dick Elston, Chairman of the Junior College Board of Tampa, and Dr. Lee Henderson, Director of the State Division of Junior Colleges, discussed needs of the area, plans for colleges which might ultimately include five sites to meet population needs, and urged approval of grant of the 74-acre site which could be made ready for use by September of 1970.

Governor Kirk emphasized the present need for a downtown campus and was reluctant to have the Dale Mabry site receive priority. He said the local people should provide the sites, and he was concerned that the Ybor City site must await completion of the urban renewal program. Mr. Williams commented that they appeared to be trading in land.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the Trustees reconfirm their conveyance of hospital land, reduced to 74 acres to exclude the hospital facility, with an understanding from the County Board that the additional site in Ybor City be provided locally and that a suitable location in the eastern section of the county be provided locally.

AQUACULTURE - In compliance with Chapter 69-46, Acts of 1969, the aquaculture bill, guidelines were prepared by the staff and reviewed and approved by the Department of Natural Resources and the Florida Aquaculture Resources Association.

At the request of Mr. Adams, the Trustees deferred consideration of the guidelines for a week.

FUNDS - Staff furnished copies of a bill and requested authorization for payment to Professor Dennis M. O'Connor of $648.12 for expenses related to research and meetings concerning ocean boundaries and sea bed rights of the State of Florida.

Mr. Adams made a motion for approval. Mr. Conner asked if any state agency authorized the work and if the Attorney General had some knowledge of it. When Mr. Faircloth said he had questions about it and Mr. Apthorp said he had no information that the work was authorized by a Director or the Board but that the work had been done, it was suggested that the matter be held for a week.

It was so ordered.

FUNDS - Staff requested adoption of a resolution and amendment of the operating budget by increasing it $156,882 to be remitted to the Board of Trustees of the South Florida Junior College for the purpose of completing construction. The staff had been assured in writing that the money was needed because all other sources had been exhausted, and that it would be repaid from the first funds which become available to the Junior College.

In regular meeting on September 17, 1968, the Trustees had authorized a loan up to the amount of $251,000 to aid construction of the Junior College at Avon Park.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved resolution and amendment of the operating budget by increasing it $156,882 to be remitted to the Board of Trustees of the South Florida Junior College as requested, pursuant to the previous action of the Trustees.

INTERAMA - By letter from Reginald R. Walters, Director of Planning Department, Metropolitan Dade County, the Trustees' Director had been invited to attend a meeting in Miami where a land use plan for Interama would be discussed. Governor Kirk and Mr. Williams said he should not go, that they opposed any plan to sell part of the Interama land for private commercial use, and Mr. Christian suggested that any surplus land should come back to the state. Chapter 69-138, the Interama Bill, included provision for prior approval by the Trustees of any transfer, lease, conveyance or use inconsistent with the planned use for a cultural and trade center. A loan of Trustees' funds to Inter-American Center Authority had not been repaid.

The consensus was that the Director should not attend the meeting, but should request information as to land use plans for the Interama site.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

8-19-69

Tallahassee, Florida
August 26, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on August 19, 1969.

DUVAL COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. By resolution adopted on September 30, 1968, the Board of County Commissioners of Duval County fixed and located a bulkhead line in the St. Johns River at Sisters Creek in Section 26, Township 1 South, Range 28 East, Duval County. All required exhibits were furnished. There had been one objector at the local hearing who, after discussion, withdrew his objection.

The biological survey report from the Department of Natural Resources indicated that the bulkhead line should not have serious adverse effects on marine life of the area.

The Consolidated City of Jacksonville by letter of June 25 from James S. English, Director of Public Works, advised that they were reviewing their bulkhead lines with the idea of relocating lines as recommended by the Interagency Advisory Committee report.

On motion by Mr.Adams, seconded by Mr. Williams and adopted, the Trustees approved the bulkhead line as located by Duval County on September 30, 1968.

BROWARD COUNTY - At the Director's request the Board deferred action on establishment of a mean high water line in a beach restoration area in Lauderdale-By-The-Sea, pending receipt of additional information from the Broward County Erosion Prevention District.

DADE COUNTY - File No. 2122-13-253.12, Application To Be Advertised. Key Biscayne Yacht Club, Inc., represented by Carr, Smith and Associates, Inc., applied to purchase a parcel of sovereignty land containing 0.74 acre in Canal Haciendo in Section 32, Township 54 South, Range 42 East, Key Biscayne in Dade County, to be used for trailer boat parking or to construct ramp and hoist for loading and unloading members' boats.

Applicant offered $1,000 for the parcel, at the rate of $1,351.35 per acre, and the staff did not request an appraisal as the offer was considered fair value for the land and the expense of an appraisal did not appear to be justified. The Governor stated that he was a member of the applicant yacht club and if there was any question on an appraisal for the small parcel they would want it brought out now.

The conveyance, if sale is approved, would contain a reservation in favor of Metropolitan Dade County for drainage purposes, and if canal is subsequently filled, the land would not be suitable for building purposes as it would be necessary to install drainage pipes.

The biological report was adverse to sale and development, showing that although a bulkhead is in place along shore, the water depths are sufficiently shallow to permit growth of seagrass, and sale and development would eliminate this productive grassy habitat.

The Interagency Advisory Committee recommended that the bulkhead line in the area be at the shore line. Dade County had revised the bulkhead line to generally follow the shore line, the Trustees having approved that line on January 28, 1969.

Staff recommended advertisement for objections only and that conveyance, if subsequently approved, provide for a reservation in favor of Metropolitan Dade County for drainage purposes, the reservation to be approved by the Attorney General.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the parcel be advertised for objections only.

MANATEE COUNTY - Bulkhead Lines. Mr. Apthorp said the staff had received from Manatee County revised bulkhead lines covering about 73 miles of coast line, or approximately two-thirds of the entire county, that the staff had written the county commission requesting additional study of about 10 of the 73 miles which the county had already begun working on, and in the Director's opinion the county was making satisfactory progress on bulkhead line study. At considerable expense and after public hearings, the county had revised lines in conformance with the Interagency Advisory Committee reports and was continuing its review of bulkhead lines.

Based on the above report, the Director said the staff was now prepared to place Manatee County applications on the agenda.

MANATEE COUNTY - Dredge and Fill Permits, Section 253.123 and 253.124 Florida Statutes. Mr. Dewey A. Dye, Jr., on behalf of Curtiss Wright Corporation, requested approval of a fill permit issued by the Board of County Commissioners of Manatee County by resolution dated May 27, 1969, and requested issuance of dredge permit to excavate 768,000 cubic yards of material to fill submerged lands and uplands heretofore acquired. The County Commission had reconfirmed the bulkhead line as located in the area.

The biological survey report was adverse, and although the applicant had modified the original plan of development to accommodate preservation of marine biological resources, the staff was of the opinion that the project might be further redesigned to increase areas of preservation. After preparation of the agenda there were further conferences with the applicant's representatives in the Trustees' office, resulting in further concessions on the development plan, increase of areas to be preserved as valuable biological habitat, and a bond of $50,000 to insure the Board that the development methods would not adversely affect the productivity of the bottoms adjacent to the sites being dredged and filled.

Mr. Apthorp said the biological survey would still be adverse, that Mr. Woodburn was present if the Board had questions, but since the applicant had made substantial changes that reduced the

biological damage and agreed to furnish bond, approval was recommended for the modified application. The fill material request was reduced to 607,000 cubic yards and permit requirements would include diking to prevent siltation of adjoining areas.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the application of Curtiss Wright Corporation as amended and recommended by the staff be approved by the Trustees.

PALM BEACH COUNTY - File 21814(79-50) 253.124, Fill Permit.
J. Bailey Wolforth, representing Mrs. Anne Lontz and Dr. Rex Johnson, requested approval of fill permit issued by the Town of Ocean Ridge on May 23, 1969, identified as Building Permit No. 613. The applicant proposed to fill lands heretofore acquired by hauling in fill material. There would be no dredging or removal of any submerged land lakeward of the bulkhead line.

On June 17, 1958, the Trustees had conveyed 27.9 acres of the submerged bottoms of Lake Worth and payment was received for fill material under the then existing policy of the Trustees, pursuant to action of the Board in meeting December 11, 1956. A small portion of the conveyed land was not filled at the time of the original permit.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved the fill permit.

CHARLOTTE COUNTY - Dredge Permit, to Install Water Main, Section 253.123, Florida Statutes.
General Development Utilities, Inc., of Miami, Florida, applied for permission to dredge a trench for the installation of a 12-inch water main in the Myakka River in Sections 7 and 18, Township 40 South, Range 21 East, Charlotte County.

The Department of Natural Resources biological report indicated that the project should not adversely affect marine life in the area.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
The Jacksonville Port Authority applied for permit for maintenance dredging to restore channel depth in an existing channel in the St. Johns River at Talleyrand Docks and Terminal area in Township 2 South, Range 27 East, Duval County. Material removed would be placed on applicant's upland.

The Department of Natural Resources biological study indicated that the river in that zone was very turbid and polluted, the bottom was below the photic zone for growth of marine grasses, and proposed dredging would not adversely affect marine life.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved the dredge permit.

ESCAMBIA COUNTY - Dredge Permit, to Install Outfall Sewer Line, Section 253.123 Florida Statutes.
The United States Department of the Navy applied for permit to dredge to install a sewer outfall in Pensacola Bay in Township 3

South, Range 30 West, Escambia County. Staff requested waiver of the requirement of a biological report as provided in Chapter 253.123 (3)(a) Florida Statutes, since the public need would be served.

Florida Air and Water Pollution Control Commission advised that no difficulties had occurred from the existing line and they had no objections to the proposed project.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Jerry L. Brown applied for permission to remove debris-filled swamp growth from in front of his property on Bayou Texar, described as Lot 3 Texar Woods Subdivision, Escambia County. The material removed would be placed on his upland property.

The Department of Natural Resources biological report indicated that the project should not have significant adverse effects on marine life in the area.

On motion by Mr. Conner, seconded by Mr. Adams, and adopted, the Trustees approved issuance of the permit.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Cities Water Company, Sarasota, Florida, applied for a permit to dredge a trench to install a subaqueous water main in San Carlos Bay in Section 18, Township 46 South, Range 24 East, Lee County.

The Department of Natural Resources biological report indicated no significant adverse effects on marine life in the area from the proposed work.

On motion by Mr. Williams, seconded by Mr. Conner and adopted, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. James M. Brown, represented by Bailey, Mooney, Post Associates, Inc., applied for permission to dredge a navigation channel 320 ft. long, 20 ft.wide and 5 ft. deep adjacent to his upland property in Niles Channel in Section 29, Township 66 South, Range 29 East, Monroe County. The material removed would be placed on applicant's upland property.

The Department of Natural Resources biological report indicated that the proposed dredging would cause limited adverse effect on marine life in the area.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of dredge permit to improve navigation.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Thomas J. Cichowicz of Ozona, Florida, applied for permit to perform maintenance dredging in Smiths Bayou adjacent to an existing marina in Section 11, Township 28 South, Range 15 East, Pinellas County. The material removed would be deposited on upland.

The Department of Natural Resources biological survey indicated that the proposed marina improvements should have no significant adverse effects on marine life.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of the permit.

CHARLOTTE COUNTY - State Commercial Dock Permit, Section 253.03, Florida Statutes.

Bayvue, Inc., by Earl Drayton Farr, Jr., applied for permit to construct a commercial dock on the Peace River adjacent to the Holiday Inn in Punta Gorda in Section 6, Township 41 South, Range 23 East, Charlotte County. All required exhibits and $100 processing fee had been furnished.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the state dock permit.

Governor Kirk pointed out that fee schedules should be reviewed, that supervision and on-site examinations were an expense to the State. The Director said the staff was taking a look at the fees, that in the area of navigation channels it appeared there should be a charge made for permits, and the staff would make a complete report to the Trustees on the fee schedules.

FRANKLIN COUNTY - State Commercial Dock Permit, Section 253.03, Florida Statutes.

Bryant and Tucker Seafood, Arthur L.Tucker and Albert Bryant, Jr., Co-Owners, of Eastpoint, Florida, applied for a state commercial dock permit for a structure on St. Georges Sound at Eastpoint in Section 32, Township 8 South, Range 6 West, Franklin County. All required exhibits, including $100 processing fee, had been submitted.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dock permit.

WALTON COUNTY - State Commercial Dock Permit, Section 253.03, Florida Statutes.

United States Department of the Air Force, Headquarters 3201st Air Base Group, Eglin Air Force Base, applied for permit to construct an additional 300 feet to its existing pier on Choctawhatchee Bay in Section 23, Township 1 South, Range 20 West, Walton County. All required exhibits were furnished.

Staff requested waiver of the $100 processing fee since the dock would serve military personnel.

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees waived the fee and approved issuance of the permit.

For the reason that only four members were present, the Trustees deferred action on the following applications on the agenda of this date:

Leon County - Request by the City of Tallahassee for a water line easement
Seminole County - Request by the Board of Regents for execution of deed in pursuance of an exchange agreement
DADE COUNTY - Request for Dade Deed No. 2878-EDDJ-Corrective (Murphy Act deed)

DADE COUNTY - Campsite Lease. Murl R. Magers, applicant, represented by Kevin A. Anderson, attorney, applied for a private campsite lease covering a one-acre parcel of sovereignty land in the south shoal area of Biscayne Bay south of Key Biscayne. On the site was a structure conforming to the building and zoning requirements of Dade County, and county personal property taxes had been assessed and paid for the last three years. The structure had been in place a number of years. Mr. Magers remitted back rental for the last three years equal to the rental paid for other campsites in the area.

Staff recommended issuance of a one-year private campsite lease with option to renew an additional four years, the lease to contain a provision allowing cancellation by the Trustees following 120 days' notice, annual rental of $100, conforming to provisions of other such leases in the area sometimes called "Stiltsville".

Governor Kirk commented that no additional structures of that kind would be permitted anywhere in Florida.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the campsite lease as recommended.

AQUACULTURE - In compliance with Chapter 69-46, Acts of 1969, guidelines were prepared by the staff, reviewed and approved by the Department of Natural Resources and the Florida Aquaculture Resources Association, and consideration was deferred last week by the Trustees.

Questions had been raised regarding lease rentals, and the staff suggested that the minimum annual rentals proposed last week be amended, that after the first year of operations and a review of the lessee's financial statements, the lessor should set a royalty of a percentage of gross receipts to be paid to the state.

Mr. Adams recommended against a minimum fee schedule of rental, pointing out that the Board desired to encourage the development of aquaculture but had a heavy responsibility to see that just value was received from the productivity of the submerged land and the water column and that the people of the state should participate in that productivity. He was in favor of the royalty idea and recommended that the language in the act itself (Chapter 69-46) be used, i.e., "A basic rental charge which will be supplemented by royalties after the productivity of the aquaculture enterprise has been established."

Royalties would be based on gross receipts and the board would determine the basic rental at the time each lease is made.

On motion by Mr.Adams, seconded by Mr. Williams and adopted, the Trustees approved the guidelines with the amendments suggested above.

DEED FORMS - Oil and Mineral Reservation Clause. On August 21, 1951, the Trustees authorized certain language to be used by which oil and mineral reservations were retained in Trustees instruments of conveyance. Although said language was not inconsistent with Section 270.11 Florida Statutes, which requires retention of oil and mineral reservations, advice from the office of the Attorney General indicated that it would be legally appropriate to use the exact language contained in the statutes.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted,

that the Trustees approve the change in deed forms according to the advice from the office of the Attorney General.

TRUSTEES FUNDS - On motion by Mr. Adams, seconded by Mr. Conner and adopted, the Trustees authorized payment of $648.12 to Professor Dennis M. O'Connor for expenses related to research and meetings concerning ocean boundaries and sea bed rights of the State of Florida, which Governor Kirk said he had authorized.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
September 2, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on August 26, 1969.

LEVY COUNTY - File No. 2213-38-253.12, Land Sale; Dredge Permit, Section 253.123; Fill Permit, Section 253.124.
In meeting on June 24, 1969, the Trustees authorized advertisement of a parcel of sovereignty land adjacent to the Main Ship Channel abutting Government Lot 1 in Section 32, Township 15 South, Range 13 East, 4.59 acres, more or less, in the City of Cedar Key, Levy County, applied for by John P. A. Wilson who offered the appraised value of $871.46 per acre, or $4,000.00 for the parcel to be used for marina enlargement.

The conservation report was not adverse to development, the Trustees approved the city's comprehensive bulkhead line on April 15, 1969, and no objections to the sale were received after notice of sale was published in the Citizen, Chiefland, Florida. Proof of

publication was filed in the Trustees' office.

Staff recommended confirmation of sale, issuance of dredge permit under Section 253.123, and approval of fill permit issued by the Cedar Key Town Council on May 13, 1969, under Section 253.124.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, that the Trustees confirm sale of the advertised parcel to the applicant at the price offered, and also approve the dredge and fill permits for the development of the land.

PALM BEACH COUNTY - File No. 2233-50-253.12, Application for Land. Dr. Raymond Roy, represented by Brockway, Owen and Anderson Engineers, applied to purchase a parcel of sovereignty land embracing 0.512 acre in Lake Worth abutting Section 27, Township 43 South, Range 43 East, in the City of West Palm Beach, Palm Beach County. Applicant offered payment at the rate of $29,675.89 per acre, the appraised value for abutting land. The Director said since the appraisal made for the abutting land was more than a year old, the staff would obtain another appraisal while the land was being advertised for objections.

The biological report was not adverse to sale and development, indicating that the bottoms consisted of sand and silt and was not vegetated, and that sale and development should not have significant adverse effects on the marine life of the area. The application was compatible with sales of sovereignty land in the immediate area and was within the bulkhead line confirmed by the City of West Palm Beach.

The Palm Beach Area Planning Board had this application on the agenda of their August 12th meeting and registered no objections.

The Interagency Advisory Committee reaffirmed the bulkhead line as presently located in the area.

Three objections had been received by the Trustees' office.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that a current appraisal be obtained and the parcel be advertised for objections only.

MONROE COUNTY - Stockpile and Florida Keys Junior College. With further reference to a matter considered last on August 19, 1969, there had been an on-site inspection of the proposed fill area for the Florida Keys Junior College, and the existing stockpile of fill material. In the opinion of the staff, leveling and spreading the existing stockpile to produce usable land was infeasible. Access to the parcel lying across the proposed navigation channel adjacent to the college would be through private developed property.

The construction of a deep navigation channel adjacent to the college had generated interest in establishing an operational base for oceanographic research vessels at the college which could obtain fill material from the proposed channel at no cost to the college.

The staff recommended first, that the stockpile be considered separately and sold based upon the existing bid already submitted. The Trustees had negated the negotiation proposed on July 8 but had not negated the bid of $0.501 per cubic yard made by Mr. William G. Stevens. The Director recommended that the bid be accepted for

the stockpile. Second, it was recommended that advertisement for bids be authorized to fill the college site with material obtained from the proposed navigation channel and third, that base consideration for bids would be the total quantity of material emplaced on the college site, with the remaining material in the channel to be at the disposition of the successful bidder.

Dr. John S. Smith, President of Florida Keys Junior College, asked by Mr. Christian to comment, said it was a reasonable approach to the existing stockpile and college need of material.

Mr. Adams asked that the stockpile be sold at 50¢ per cubic yard all the way to the original bottom, to the level of the surrounding bottoms.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the staff recommendations as set out above be approved as the action of the board.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The Department of Transportation and L & A Contracting Co. applied for permit to construct channels in East Pass in Township 2 South, Range 23 West, Okaloosa County, adjacent to the existing Destin Bridge. It was necessary to provide water depths sufficient to provide flotation for barges used in construction of a new bridge at Destin. Material removed from the channels would be placed on Department of Transportation right of way and on private uplands.

The biological survey report from the Department of Natural Resources indicated that the proposed channels should not cause significant adverse effects on marine resources in the area.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of the permit to improve navigation.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. C. L. Kelly, doing business as Kelly Enterprises, Destin, Florida, applied for permit to construct a commercial navigation channel 80 feet wide by 10 feet deep by 700 feet long in Joe's Bayou in Township 2 South, Range 22 West, Okaloosa County. Material removed from the channel would be placed on applicant's upland.

The biological study report was not adverse for this project, which is in conjunction with the replacement of the bridge crossing East Pass channel at Destin, in the nature of a public project. Staff recommended waiver of charge for excess material obtained from the proposed channel.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved the dredge permit without charge for the material to be removed in excess of the standard size.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Arthur Strock, on behalf of Al Harris, made application for 60 cubic yards of material to be removed from the Intracoastal Waterway in Section 28, Township 46 South, Range 43 East, Palm Beach County. Applicant tendered check for $50.00 for the material to be placed on his upland property.

The Department of Natural Resources biological study report indicated that the proposed dredging should have no adverse effects on marine biological resources in the area.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Board approve issuance of the dredge permit.

ORANGE COUNTY - Revision of Dredge Permit No. 253.03-126. James H. Houck of Orlando, Florida, applied for a revised permit to include the removal of an additional 20 cubic yards of fill material from Lake Ola in Section 18, Township 20 South, Range 27 East, Orange County, to be placed on his upland property.

Florida Game and Fresh Water Fish Commission reported favorably on the application, and Trustees' staff recommended approval.

On motion by Mr. Williams, seconded by Mr.Faircloth and adopted, the Trustees authorized issuance of the revised dredge permit as requested.

SANTA ROSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. James M. Kobacker of Gulf Breeze, Florida, requested permission to perform maintenance dredging in the existing channel in Santa Rosa Sound in Section 35, Township 2 South, Range 29 West, in Santa Rosa County. At the request of the staff, applicant had reduced the size of the channel to 50 feet wide by 5 feet deep.

The Department of Natural Resources biological report indicated that the channel as revised would not have excessive adverse effect on marine resources of the area.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit for the channel of reduced size.

ST. LUCIE COUNTY - Dock Permit, Section 253.03 Florida Statutes. The Department of Transportation applied for permit to construct public fishing piers in the Indian River adjacent to State Road A-1-A at Fort Pierce in Sections 2 and 3, Township 35 South, Range 40 East, St. Lucie County. All required exhibits were furnished and staff recommended waiver of the $100 processing fee.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dock permit to the Department of Transportation without charge.

LEVY COUNTY - Dedication. The Department of Transportation requested dedication of the West 66 feet of the W½ of SE¼ of NW¼ of Section 8, Township 12 South, Range 17 East, Levy County, containing 2.01 acres, for road right of way purposes.

The State Board of Education on August 26, 1969, authorized grant of right of way across the parcel which is under the jurisdiction of said board.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the dedication for road right of way.

LEON COUNTY - Easement. The City of Tallahassee by Resolution No. 69-R-362 adopted on July 24, 1969, requested 20-foot wide water line easement across the south portion of the former Federal Correctional Institution property in Section 34, Township 1 North, Range 1 East, Leon County, recently acquired by the Department of Agriculture. The Department of Agriculture and Consumer Services had reviewed and approved the easement for water line.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved the easement as requested by the City of Tallahassee.

SEMINOLE COUNTY - Consideration of an exchange agreement involving Board of Regents land was removed from the agenda pending receipt of a resolution from the City of Sanford.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved two regular bids for sales of land in Gadsden County under the provisions of Chapter 18296, the Murphy Act, Section 192.38 Florida Statutes, listed on Report No. 959, and authorized execution of deeds pertaining thereto.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved Report No. 958 and issuance of County of Dade Deed No. 2878-EDDJ-Corrective to Julie Indelicato, a widow, and Lillian Affronte, as Executrix of the Estate of Michael Affronte, deceased, to correct the name of the grantee in the original deed dated January 8, 1945.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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9-2-69

Tallahassee, Florida
September 9, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on September 2, 1969.

BAY COUNTY - File No. 2226-03-253.03, Fill Permit, Section 253.124 Florida Statutes. The State of Florida Department of Transportation requested approval of a fill permit to be used in construction of a bridge across Williams Bayou in Section 6, Township 3 South, Range 13 West, Bay County. The Board of County Commissioners by resolution adopted August 26, 1969, requested issuance of fill permit.

The bulkhead line was approved June 17, 1969. Right of way was dedicated July 1, 1969.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the fill permit to the Department of Transportation.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes, To Improve Navigation. The United States Naval Air Station, Pensacola, Florida, applied for a permit to perform maintenance dredging in Sherman Cove in Section 17, Township 3 South, Range 31 West, Escambia County.

The Department of Natural Resources biological survey report indicated that the project would adversely affect marine resources in the area. However, Sherman Cove is a recreation area for the Naval Air Station, and the proposed dredging would provide the necessary access for pleasure boats. The staff recommended approval of the application.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved issuance of dredge permit to improve navigation as requested.

LAKE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. H. G. Morse of Eustis, Florida, applied for permit to remove 500 cubic yards of material from Lake Eustis in Section 4, Township 19 South, Range 26 East, Lake County, to place on his upland property. He tendered check in the amount of $50 as payment for the material.

Florida Game and Fresh Water Fish Commission reported favorably on the proposed work subject to the usual stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Seaboard Properties, Inc., of Islamorada, Florida, applied for permit to construct a navigation channel 50 feet wide, 5 feet deep, 1,950 feet long, in Card Sound at North Key Largo in Section 12, Township 59 South, Range 40 East, Monroe County. The material removed would be placed on upland property.

The biological survey study from the Department of Natural Resources indicated that dredging a channel in the area would have limited adverse effects on marine biological resources.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the Trustees approve issuance of the requested dredge permit to improve navigation.

SARASOTA COUNTY - Beach Nourishment. The City of Sarasota by resolution adopted August 4, 1969, requested a 69 acre parcel and an alternate parcel of the same size as a borrow area for beach restoration material to be deposited on the public beach at Lido Key in Sarasota County. It was contemplated that 425,000 cubic yards would be deposited on the foreshore at Lido Key Beach. Borrow area "A" lay approximately 1000 feet offshore from the public beach, and borrow area "B" approximately 750 feet south of the southerly end of Lido Key.

The U. S. Corps of Engineers and the Department of Natural Resources had been notified of the project and had no objections. Staff recommended that the easements be granted.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted, that the Trustees grant dredging and fill area easements to the City of Sarasota for the beach nourishment project.

DADE, FRANKLIN, PINELLAS AND VOLUSIA COUNTIES - State Dock Permits, Section 253.03 Florida Statutes. The following applications were presented for state commercial dock permits, for which the required exhibits and $100 processing fee had been furnished by each applicant:

1. Dade County - Atlantic Foundation, Inc., of North Miami Beach, Florida, applied for permit to construct a dock in Biscayne Bay in Township 54 South, Range 42 East.

2. Franklin County - Universal Automatic Marine Corp., Apalachicola, Florida, applied for permit to construct a dock adjacent to their upland property on the Apalachicola River in Section 21, Township 8 South, Range 8 West.

3. Pinellas County - Florida Presbyterian College, St. Petersburg, Florida, applied for permit for the construction of a dock in Boca Ciega Bay in Section 10, Township 32 South, Range 16 East, which had been approved by Pinellas County Water and Navigation Control Authority subject to Trustees' approval.

4. Volusia County - Florida Methodist Children's Home, Inc., Enterprise, Florida, applied for permit for a dock to be constructed on Lake Monroe in Sections 6 and 7, Township 19 South, Range 31 East.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of state commercial dock permits to the four above applicants.

MANATEE COUNTY - Dedication. The City of Palmetto by resolution adopted August 4, 1969, requested that Dedication No. 23100 embracing 8.03 acres, and Dedication No. 23100-A embracing 3.81 acres, both consisting of sovereignty lands in the Manatee River abutting Section 23, Township 34 South, Range 17 East, Manatee County, be combined and rededicated for additional public uses.

The city requested a leasing period of thirty years, consistent with Dedication No. 23100, and that the rededication provide for public municipal purposes which would include parking areas, facilities for sports programs, buildings and docks, marina and food service facility.

Staff recommended advertisement of the rededication for objections only, consistent with Trustees' Administrative Rule No. 200-2.061.

Mr. Adams asked if provision would be made for water flow through the extensive solid fill, if engineering for such was feasible. Representatives of the City of Palmetto said they had no objection and were planning to include that in the plan.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized advertisement of the rededication for objections only.

PALM BEACH COUNTY - Quitclaim Deed. Philip H. Reid, Jr., representing Ken Murry & Sons Developers & Builders, Inc., Helen G. Smith, Ray Allen Smith, and Gwendolyn M. Barber, applied for quitclaim deed to clear title to a 1.7 acre parcel of reclaimed Lake Osborne bottom land adjacent to Government Lot 5, Section 29, Township 44 South, Range 43 East, Palm Beach County.

The parcel was originally conveyed to Palm Beach County by Trustees Deed No. 18537 with a restrictive covenant limiting use of the parcel to park and forest purposes only. By virtue of a quitclaim deed dated May 14, 1943, recorded in Deed Book 664, page 487, public records of Palm Beach County, the parcel was granted to applicants' predecessor in title. Chapter 22423, Special Acts of 1943, validated, ratified and confirmed the action of Palm Beach County.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the requested instrument for a $200 processing fee, subject to approval of the Attorney General as to legality.

PALM BEACH COUNTY - Waiver of Rights; Lake Wyman Park.
The City of Boca Raton by Resolution No. 7-69 adopted April 8, 1969, requested the Trustees to consent to the city's acquisition of certain maintenance spoil areas for recreational purposes. The spoil areas were owned by Florida Inland Navigation District, had been declared surplus, and the law provided that the District first must offer such surplus land to the state, then the county, and finally to the city for recreational purposes.

Before the District lands could be granted to the city, both state and county were required to waive their rights. Staff recommended waiver

and consent to the acquisition by the city for public recreation purposes.

Secretary of State Adams requested that the land be effectively preserved for public purposes, with no possibility of future sale for private uses. Staff member Fred Vidzes advised the Board that the District had adopted a resolution to prevent use of the land for other than public purposes.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted, that the Trustees waive their rights to the surplus spoil areas and consent to the city's acquisition for public recreation purposes. The staff was directed to make certain that the Florida Inland Navigation District requirement of public purpose use of the spoil area would be binding on the city.

POLK COUNTY - Division of Corrections Land. On June 3, 1969, the Trustees authorized issuance of a resolution for submission to the United States Department of Health, Education and Welfare in support of application of the Division of Corrections to receive a tract of 581.16 acres of land currently being used as the Avon Park Correctional Institution. The U. S. Department of H. E. W. advised the Department of Health and Rehabilitative Services that only 142.88 acres of the subject tract qualified for transfer to the state under rules and regulations issued by the United States.

Therefore, staff recommended that the Trustees approve a resolution to supersede the June 3rd resolution covering the acreage which the United States indicated would qualify for transfer.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of a resolution covering 142.88 acres as recommended.

PUTNAM COUNTY - Board of Regents Land. On December 17, 1968, the Trustees authorized issuance of Dedication No. 24914 dedicating certain right of way across land under the jurisdiction of the Board of Regents, and entering into an agreement with the State Road Department and Board of Regents whereby the former would reimburse the latter the amount of $9,330.00 for damages estimated to certain improvements located on the right of way being acquired. Upon determination that said amount was insufficient to cover replacement costs of fencing, the Department of Transportation agreed to supplement the settlement by an additional $5,370.00.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved a new agreement superseding the original agreement in order that the total settlement sum of $14,700.00 could be paid to the Board of Regents by the Department of Transportation.

TRUSTEES FUNDS - The staff advised that the Trustees had $2,213,632 on deposit with the State Treasurer and outstanding commitments of approximately $2,143,552, some of which would not be needed until later in the year. Authority was requested to invest $1,000,000 in six-month U. S. Treasury Bills.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted, the Trustees authorized that $1,000,000 of Trustees' funds be invested in six-month United States Treasury Bills.

Commissioner of Education Floyd T. Christian requested that at some appropriate time the Board discuss and consider a policy with reference to disposition of monies to the State School Fund from receipts on sovereignty and state-owned lands.

It was so ordered.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
September 16, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on September 9, 1969.

SARASOTA COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.

The Board of County Commissioners of Sarasota County, sitting as the Water and Navigation Control Authority, by resolution dated January 2, 1969, located and fixed a bulkhead line in the Gulf of Mexico in Section 11, Township 37 South, Range 17 East, Sarasota County.

One objector appeared at the local hearing on the bulkhead line, which was established to encompass a proposed groin installation. Letter from the Board of Conservation dated November 27, 1968, stated that no biological report was required since the proposed bulkhead line was merely to facilitate groin construction on the Gulf side of Siesta Key and no dredging and filling or purchase of submerged land was contemplated.

Staff recommended disapproval for the reason that the Trustees had not been approving bulkhead lines in the Gulf of Mexico, and a

bulkhead line was not required or needed for groin construction.

On motion by Mr. Conner, seconded by Mr.Williams and adopted, the Trustees accepted the staff recommendation and did not approve the proposed bulkhead line.

DUVAL COUNTY - Presented for consideration on this date were two land sales, dredge, fill and dock permits for the Jacksonville Port Authority. Mr. Adams expressed the opinion that the Board had gone along in good faith with the Port Authority development, that the future of the St. Johns River was at stake and while he was convinced that there could be port development and a reasonably clean river, the Trustees should see the long range plans of the Jacksonville Port Authority. He did not suggest holding up action on the matters on the agenda of this date, but before the Board continued to consider piece-meal various Port Authority applications the Trustees, their staff, and the Air and Water Pollution Control should study the development plans.

Mr. Apthorp said the Port Authority group would have such plans available within two weeks for examination and conferences. Mr. William Hogan, speaking for that group, reaffirmed that they would have the plans available in two weeks.

With that understanding, Mr. Williams made a motion that the following five applications involving the Jacksonville Port Authority be approved. Motion was seconded by Mr. Adams and adopted.

1. Duval County, File No. 2238-16-253.12, Confirmation of Sale. The Jacksonville Port Authority requested a deed conveying lands in the vicinity of Tallyrand Docks in St. Johns River abutting Section 8, Township 2 South, Range 27 East, covering 36.57 acres in the City of Jacksonville, Duval County.

   In order to obtain adequate title insurance, applicant requested deed to clear title to the land that was a part of land granted to the City of Jacksonville under Chapter 6416, Laws of Florida, Special Acts of 1912, and subsequently conveyed to Jacksonville Port Authority.

   The parcel had been advertised and no objections to the conveyance were received.

2. Duval County, File No. 2239-16-253.12, Confirmation of Sale. The United States of America, Corps of Engineers, Jacksonville District, requested deed conveying 3.91 acres of land in the vicinity of Tallyrand Docks in St. Johns River abutting Section 8, Township 2 South, Range 27 East, in the City of Jacksonville, Duval County.

   In order to obtain adequate title insurance, applicant requested deed to clear title to the land that was a part of land granted to the City of Jacksonville under Chapter 6416, Laws of Florida, Special Acts of 1912, and subsequently conveyed to the Jacksonville Port Authority. Land is now to be conveyed to the United States.

   The parcel has been advertised and no objections to the conveyance were received.

3. Duval County, File No. 2238-16-253.124; Dredge Permit, Section 253.123, and Fill Permit, Section 253.124. Jacksonville Port

Authority requested issuance of dredge permit and approval of fill permit issued by the City of Jacksonville on August 20, 1969, authorizing filling in connection with rehabilitation of Tallyrand Docks and Terminals.

In view of the public nature of the project, staff had recommended waiver of the usual fee for the anticipated amount of one million cubic yards of fill material to be removed from the St. Johns River adjacent to the Terminal Channel. Staff also had recommended issuance of dredge permit and approval of the fill permit.

A telegraphed biological report dated March 28, 1969, indicated that marine biological resources would be unaffected by the project.

4. Duval County - State Commercial Dock Permit, Section 253.03 Florida Statutes. The Jacksonville Port Authority applied for permit to construct a commercial wharf facility at the Tallyrand Docks and Terminal in Jacksonville in Township 2 South, Range 27 East, Duval County. All required exhibits and $100 processing fee were furnished.

5. Duval County - State Commercial Dock Permit, Section 253.03 Florida Statutes. The Jacksonville Port Authority applied for permit to construct a commercial wharf facility on Blount Island in the Fulton Dame Point Cutoff in Section 30, Township 1 South, Range 28 East, Duval County. All required exhibits and $100 processing fee were furnished.

PALM BEACH COUNTY - File No. 24981(1991-50) - 253.124 Fill Permit. At the request of the Director, consideration of an application from DiVosta Rentals, Inc., for approval of a fill permit was deferred.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The City of Jacksonville, Department of Public Works, applied for permission to install a submarine 16-inch water main crossing the Ribault River adjacent to Lem Turner Road in Section 40 of the Jonathan Watson Grant in Township 1 South, Range 26 East, Duval County.

Staff requested waiver of the biological study as provided under Section 253.123(3)(a) Florida Statutes, for the reason that the work would serve a public need.

Motion was made by Mr. Williams, seconded by Mr. Conner and adopted, that the Board authorize issuance of the dredge permit as requested.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes. John N. Blow of Jacksonville, Florida, applied for permission to dredge a channel 50 feet wide by 5 feet deep in front of his upland on the St. Johns River in Section 34, Township 1 South, Range 27 East, Duval County.

The Department of Natural Resources biological report indicated that the proposed channel would destroy valuable marine habitat but would provide access to the applicant's upland. The staff recommended approval of the dredge permit to improve navigation.

On motion by Mr. Williams, seconded by Mr. Conner and adopted, the Trustees authorized issuance of the requested dredge permit.

MANATEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Longboat Harbour Apartments, Inc., represented by Henry P. Trawick, Jr. applied for a permit to construct a channel 50 feet wide, 7 feet deep and 5,000 feet long adjacent to and offshore from applicant's property at Longboat Key in Section 31, Township 35 South, Range 17 East, in Manatee County. Check in the amount of $1,800 was tendered as payment for the material to be placed on upland property.

The proposed channel had been relocated in accordance with the recommendations of the biological survey prepared by the Department of Natural Resources. Effects on marine resources should be minimal.

On motion by Mr. Williams, duly adopted, the Trustees authorized issuance of the requested dredge permit.

PINELLAS COUNTY - Dredge Permit, Section 253.03 Florida Statutes. C. I. Larson of Palm Harbor, Florida, applied for after-the-fact dredge permit to remove material placed on state-owned lake bottoms, and tendered check for $100 for the permit.

Applicant had pushed 320 cubic yards of material onto state-owned bottoms in Lake Tarpon in Section 29, Township 27 South, Range 16 East, Pinellas County. Florida Game and Fresh Water Fish Commission reported the action, and on-site inspection was made by members of the Commission and the Trustees' staff. The inspection team requested Mr. Larson to apply for after-the-fact permit to remove the material.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the requested dredge permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The Sarasota County Water and Navigation Control Authority issued Permit No. 69-2-M to Hidden Harbor Association for maintenance dredging in existing channels at Siesta Key in Little Sarasota Bay, Sarasota County. Maximum depth in the proposed channels would be 5 feet at mean low water, and all material removed would be placed on uplands.

The Florida Department of Natural Resources biological survey report indicated no objection to the project as long as the dredging and spoiling were carefully controlled to minimize siltation.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted, that the Trustees authorize issuance of the requested dredge permit for channel maintenance.

MONROE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Samuel E. Shelsky Associates, on behalf of Michael C. van Beuren, applied for permission to construct a commercial dock in an existing marina facility at Faro Blanco adjacent to Government Lot 2, Section 9, Township 66 South, Range 32 East, at Marathon in Monroe County. All required exhibits, including $100 processing fee, had been submitted.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the application and authorized issuance of the dock permit.

OKALOOSA COUNTY - Dock Permit, Boat Ramp, Section 253.03 F. S. The City of Fort Walton Beach applied for permission to construct a boat launching ramp at the foot of Walkedge Drive in Elliot Point Subdivision in Fort Walton Beach, Okaloosa County.

Staff requested waiver of the $100 processing fee since the boat ramp would be a public facility.

Biological survey report from the Department of Natural Resources indicated that the project would not adversely affect marine resources.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the permit without charge.

PALM BEACH COUNTY - Corrective Deed. James Marvin Brown, Jr., and wife, applied for a corrective deed to change the name of the grantee in Trustees' Deed No. 24521(1461-50). Prior to issuance of the deed on April 12, 1967, the grantee, Minerva G. Brown, conveyed the uplands abutting subject sovereignty lands to the applicant. Pursuant to law, sovereignty land can be conveyed only to the riparian upland owner, and staff recommended issuance of corrective deed as requested.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of corrective deed to James Marvin Brown, Jr., et ux, for the usual $25 processing fee.

PALM BEACH COUNTY - FileNo. 1918-50-253.12, Refund. Staff requested authority to refund to Cedar Lane Developers, Inc., $693.26 that had been tendered for payment of a submerged land purchase. Application to purchase was presented to the Trustees on October 24, 1967, but due to technical difficulties related to bulkhead line location, the Trustees deferred action and the sale was not confirmed.

On August 5, 1969, the Trustees authorized refund of the application fee and deactivation of the file. Subsequently, on checking the file, it was found that the applicant had tendered payment for the land.

Motion was made by Mr. Conner, seconded by Mr. Adams and adopted without objection, that the Trustees authorize refund of $693.26 to Cedar Lane Developers, Inc.

SARASOTA COUNTY - Disclaimer, File No. 2246-58-253.129. W. T. Harrison, Jr., on behalf of Ralph D. Spalding, applied for a disclaimer covering a 0.37 acre, more or less, parcel of filled sovereignty land in Hudson Bayou abutting Government Lot 1 in Section 30, Township 36 South, Range 18 East, Sarasota County. All necessary exhibits were furnished and staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the disclaimer for the usual $100 processing fee.

SARASOTA COUNTY - Lease Amendment, City of Sarasota; File No. 23588 (1344-58) - 253.12.

The City of Sarasota, represented at the meeting by City Attorney John M. Scheb, requested approval of amendment to a lease agreement between the city and Jack Graham, Inc., a Florida corporation. The proposed lease amendment was designed to modify provisions related to advertising restrictions, parking, additional sanitary facilities, operation of a first-class restaurant, and rental of office space for professional and other business purposes.

In previous actions by the Trustees relating to dedication of the submerged land in Sarasota Bay for a city marina and recreation area, concern was expressed about restaurant operation in that is was not the Board's concept of public park purposes. In 1965 the Trustees approved an amendment to the lease agreement to allow a food service facility including the sale of intoxicating beverages, the tenant at that time being Marina Mar, Inc.

The staff reviewed the new amendment and was of the opinion that rental of office space for professional use and business would be a deviation from the terms of the dedication. Staff recommended partial approval of the city's request, withholding recommendation as to section "c" (restaurant operations) and section "d" subsection (vii) under Paragraph 4 of the proposed lease amendment.

Mr. Scheb reviewed provisions in the lease agreement, the failing of the former tenant and the city's installing Jack Graham, Inc., as a tenant of the marina complex in the restaurant facility, and the modification requested by the City of Sarasota in the Lease Agreement. He said the City Commission had unanimously approved the request for amendment, that the restaurant portion was at the request of the City Commission, and the office space rental use was put in at the request of the tenant.

Mr. Adams noted that inclusion of "office space" would be going one step further, that he thought uses incident to the operation of the marina or for recreation would be fine but the board would not want to include rental of offices for professional use and business on land dedicated for city marina and recreation.

The Director said that the language in the former lease already authorized uses for marine supplies, brokerage and rental of boats and other things accessory to the marina.

Mr. Jack Graham, hotel and restaurant operator from Illinois, now residing in Sarasota, spoke of his working with the city on the terminology of the lease, his desire to effectively use the buildings as allowed, and the cooperation he had received.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted, that the Trustees approve amendment of the lease agreement as requested by the City of Sarasota with the deletion of the proposed provision for professional and other business office rental.

TRUSTEES FUNDS - Capitol Center Acquisition. On February 7, 1967, the Trustees authorized expenditure of funds necessary to acquire by condemnation a parcel of land in the Capitol Center area owned by Woodsand Corporation, described as Lots 308, 309, 310 and 311 of the Old Plan of the City of Tallahassee, fronting on South Bronough Street. Condemnation proceedings were initiated by the Florida Development Commission with trial set for October 30, 1969.

In an effort to eliminate additional expenses associated with trial, authority was requested to offer Woodsand Corporation $185,000 for the parcel as a settlement out of court. The property was appraised for the state in November at $182,000 and by the owner at $190,000.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted, that a firm offer of $185,000 be made for the property with reasonable attorney's fee for the settlement.

CLAY COUNTY - Lakes. William E. Baker, resident and lake front property owner on Lake Geneva in Clay County, appearing for a group composing the Lake Region Citizens Committee, presented a paper on problems and recommendations for proper guidelines, legislation and administration to protect the fresh water lakes and allow reasonable use by the public. He recommended that fresh water lakes be removed from under the law dealing with tideland waters, and complete new law be formed for fresh water lakes of Florida.

Mr. Apthorp had met with a large group in Keystone Heights where problems relating to fresh water lakes and enforcement of the law were discussed. Members of the Legislature had attended and questions and confusion resulting from recent legislation were brought up.

Senator Richard B. Stone mentioned difficulties of restrictions under the law, rigid enforcement causing inequities, past precedents and the body of law regarding fresh water lakes, riparian rights of lakefront property owners, and suggested that a declaratory lawsuit might be brought to clear up some of the problems. He agreed that the present laws had caused confusion and additional problems to the Cabinet and to the private owners.

Senator J. H. Williams was present by accident, not knowing the matter was on the agenda. He was interested and wanted to find out some of the answers to the complex problems regarding lake bottoms. He said that we must protect our lake bottoms, and wished all laws were enforced by such zealous activity as the Florida Game and Fresh Water Fish agents had shown; but he indicated that riparian owners might be allowed to clean out grass in swimming areas.

Secretary of State Adams pointed out that the problems regarding lakes had been difficult, that the Legislature might have helped but instead caused confusion and more questions, that the ecology should be preserved and citizens be allowed to maximize on the benefits, and the Board would be willing to follow any reasonable suggestions. He suggested that the Trustees' staff, concerned citizens groups, staff of the Department of Natural Resources and others, try to consider a proposed legislative program that would resolve the problems.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Trustees receive the report from the Lake Region Citizens Committee for consideration, that the staff after thorough research bring recommendations to the Trustees as to what might be accomplished, including suggested legislation to correct any inequities that exist.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

9-16-69

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
September 23, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol, in Senate Hearing Room 31, with the following members present:

Earl Faircloth	Attorney General, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on September 16, 1969.

MONROE COUNTY - FileNo. 2125-44-253.12, Land Sale.
On August 12 the Trustees considered application made by Bailey, Mooney, Post Associates, Inc., on behalf of Howard P. Bonebrake and wife, to purchase a 0.55 acre parcel of sovereignty land in Florida Bay abutting Section 15, Township 64 South, Range 36 East, Lower Matecumbe Key, Monroe County, in order to construct a small jetty and basin for protection of upland property. Applicants offered the appraised value of $636.36 per acre or $350.00 for the parcel, which staff considered to be appropriate valuation.

The biological report was not adverse to sale and development, and staff was of the opinion that sale would be consistent with previous sales of adjacent submerged lands.

Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection to the sale was received.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees confirmed sale of the advertised parcel at the price offered.

MONROE COUNTY - File No. 2161-44-253.12, Land Sale.
On August 12 the Trustees considered application made by Bailey, Mooney, Post Associates,Inc., on behalf of James J. Bell, Sr., and wife, to purchase a 0.28 acre parcel of sovereignty land in the Gulf of Mexico abutting Section 15, Township 64 South, Range 36 East, Lower Matecumbe Key, Monroe County, for the construction of a small jetty and basin for protection of upland property. Applicants offered the appraised value of $714.28 per acre, or total offer of $200.00 for the parcel, which staff considered to be appropriate valuation.

The biological survey report was not adverse to sale and development,

and staff was of the opinion that sale of the land would be consistent with previous sale of adjacent submerged lands.

Notice of sale was published in the Key West Citizen, proof of publication filed, and no objection to the sale was received.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees confirmed sale of the advertised parcel at the price offered.

DUVAL COUNTY - Bulkhead Line Review Progress Report.
Mr. Apthorp advised the Board, relative to the status of the bulkhead lines, that the Consolidated City of Jacksonville and Duval County had made substantial progress in reviewing all bulkhead lines. Review of all bulkhead lines within the boundary of the old City Limits had been completed, and areas outside the old City Limits were being surveyed where necessary to determine the feasiblity of adjustments recommended by the Interagency Advisory Committee Report.

Substantial progress having been made, Mr. Apthorp said it was in order to consider the following application.

DUVAL COUNTY - File No. 2211-16-253.12, Land Application.
Georgia Industrial Realty Co., represented by Mathews, Osborne and Ehrlich, applied for a parcel of sovereignty land in the St. Johns River landward of the established bulkhead line containing 9.14 acres abutting fractional Section 39, Township 2 South, Range 27 East, Duval County, for industrial use. Applicant offered $16,050.00 for the land, at the appraised rate of $1,756.00 per acre.

Department of Natural Resources biological survey report indicated that sale and subsequent development of the parcel should not have significant adverse effects on marine life. The Interagency Advisory Committee report reaffirmed the location of the existing bulkhead line. The subject line had been reaffirmed by the Consolidated City of Jacksonville.

On motion made by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized advertisement of the land for objections only.

BROWARD COUNTY - Beach Restoration, Mean High Water Line.
Broward County Board of County Commissioners, as the Broward County Erosion Prevention District, adopted a resolution on May 20, 1969, establishing the mean high water line from Northeast 5th Court, Pompano Beach, to Washingtonia Avenue, Lauderdale-By-The-Sea. The plats of survey of the line of mean high water were submitted along with the request that the plats be approved by the Trustees, so they might be recorded in the Public Records of Broward County. Said line, when approved and recorded, would be the seaward boundary of private ownership and could be used in the preparation of easements covering the beach restoration area seaward of the line.

The Bureau of Beaches and Shores of the Department of Natural Resources had reviewed the matter and recommended appropriate action. The item would appear on the agenda of the Department of Natural Resources next week.

On motion by Mr. Williams, adopted without objection, the Trustees approved the plats as requested, and as recommended by the staff.

CITRUS COUNTY - Dredge and Fill, Beach Nourishment.
The City of Crystal River applied for permit to construct three public beach areas in Hunters Springs at the end of three city streets at Crystal River in Section 21, Township 18 South, Range 17 East, Citrus County. The city planned to remove accumulated silt and debris from the three street ends and refill the areas to the original contour with clean, sharp sand, hauled in. The biological survey report from the Department of Natural Resources indicated that the small public project should not have significant adverse effects on biological resources.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of the permits for the work requested.

ST. LUCIE COUNTY - Dredge Permit, Submersible Dredge Test, Section 253.123, File 335.
The St. Lucie County Beach Erosion District, care of Wood, Beard, Bell and Associates, Inc., Consulting Engineers, Fort Pierce, Florida, applied for permission to conduct experimental dredging for beach nourishment south of St. Lucie Inlet in Section 36, Township 34 South, Range 40 East, and Section 1, Township 35 South, Range 40 East, St. Lucie County.

Temporary easement for the dredging test was requested on a parcel of land 4,000 feet long by 500 feet wide containing approximately 46 acres, lying about 1,000 feet offshore from Section 1, Township 35 South, Range 40 East, in the Atlantic Ocean. The material removed would be placed in a previously approved beach nourishment program area.

The Department of Natural Resources biological report indicated that the dredging operations would not adversely affect marine biological resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees granted approval of the dredge permit and authorized issuance of a temporary easement for a period of three years.

MARTIN COUNTY - Dredge Permit, After-the-Fact.
The Department of Transportation applied for after-the-fact dredge permit to improve navigation for the construction of the Palm City Bridge across the St. Lucie River in Section 17, Township 38 South, Range 41 East, Martin County. Material from the dredge operation had been placed adjacent to the project and would be replaced in its original position on completion of bridge construction.

Staff requested waiver of the biological survey report fee, since the permit was after-the-fact and was needed for completion of the bridge. Mr. Apthorp said there had been some difficulty, that formerly the Road Department was not required to comply with the bulkhead law requirements, but the Department of Transportation was now attempting to comply with the provisions of Sections 253.122, 253.123 and 253.124 Florida Statutes.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the Board approve issuance of after-the-fact dredge permit to the Department of Transportation.

PINELLAS COUNTY - Commercial Dock Permit, Section 253.03 F. S.
The City of St. Petersburg applied for permission to construct a

dock and boat ramp facility in Tampa Bay at Point Pinellas Subdivision south of Furman Avenue in Section 18, Township 32 South, Range 17 East, Pinellas County. All required exhibits were furnished. Staff requested waiver of the $100 processing fee for the facility to be used by the public.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the permit for dock and boat ramp without charge.

ESCAMBIA COUNTY - File No. 2256-17-253.03, Easement.
The Department of the Navy, Southeast Division, Naval Facilities Engineering Command, Charleston, South Carolina, requested easement for sewer outfall line in Pensacola Bay extending from the Naval Air Station at Pensacola, 20 feet wide by 2,068 feet into the Bay. A dredging permit to install the line issued August 26, 1969. The Department of Air and Water Pollution Control offered no objection to the project.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement.

SANTA ROSA COUNTY - Division of Forestry, Pipeline Easement.
Florida Gas Transmission Company, Winter Park, Florida, applied for an easement 27½ feet wide containing 7.64 acres, for the installation of a 30-inch pipeline adjacent to an existing pipeline easement granted in 1958, crossing a portion of the Blackwater River State Forest in Sections 13 and 14, Township 5 North, Range 28 West, and Section 18, Township 5 North, Range 27 West, Santa Rosa County.

Applicant offered $5,730.00 for easement rights and $2,084.00 for timber damage. The Division of Forestry had reviewed and approved the application.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the pipeline easement for $5,730.00, and approved the offer of $2,084.00 to be remitted by the applicant to the Division of Forestry for timber damage.

DADE COUNTY - Lease Assignment.
Staff recommended approval of assignment from Mission East Co. to Robert W. Sudbrink of Lease No. 1627 dated September 21, 1961, amended on February 22, 1966, covering a 7.16 acre parcel of submerged land in Biscayne Bay on which was located a radio transmitter facility with antenna towers.

The instrument of assignment and acceptance were approved by the Attorney General and filed in the Land Office.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved assignment of Lease No. 1627 from Mission East Co. to Robert W. Sudbrink.

SHELL LEASE REPORTS - The Trustees accepted for the record the reports dated June, July, August and September showing the following remittances received by Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 9,242.73
"	"	11,414.01
"	"	12,289.35
"	"	7,697.34
1788	Benton and Company, Inc.	11,314.17
"	"	11,505.65
"	"	10,066.96
"	"	11,367.80
2233	Bay Dredging and Construction Co.	7,100.63
"	"	6,597.88
"	"	5,717.06
"	"	4,761.28
2235	Fort Myers Shell and Dredging Co.	- 0 -
"	"	874.35
"	"	- 0 -
"	"	541.50

SARASOTA COUNTY - Deed No. 24945 (2019-58).
On August 12, 1969, the Trustees authorized issuance of a deed with a restrictive covenant and reverter provision conveying 0.93 acre parcel of filled sovereignty land abutting upland of Per A. O. Scheutz, et ux, represented by Mr. J. A. McClain, Jr. Senator McClain had requested an opportunity to appear on behalf of his client regarding the status of the deed.

The Director advised the Board that Senator McClain was not able to be present, but his problem was that the deed, routinely circulated for execution by the Trustees, was in the office of the Governor who had some reservations about protection of the easement for an outfall drainage ditch and/or storm sewer pipe line reserved to the Department of Transportation, and that it had been suggested that a requirement be put in the deed that no building be constructed on top of that easement.

Motion was made by Mr. Christian, seconded by Mr. Williams, that the Trustees obtain a letter from the grantee that there will be no construction of permanent buildings over the easement. Mr. Christian withdrew his motion when the Director read that certain easement recorded in O. R. 686, Page 558 of the Public Records of Sarasota County, shown to be a reservation in the Trustees' deed to Mr. Scheutz, as Mr. Christian said the grantee was already committed to that permanent easement.

There was further discussion, and Mr. Faircloth said he thought the Governor's objection went beyond the easement, that the Governor had thought the representation was made that there would be no building on the land, and the Trustees' action had allowed a swimming pool.

The consensus was that Senator McClain be notified that the matter would be re-agendaed for discussion as to why the deed had not been delivered.

Mr. Apthorp said that the Southeastern Environmental Council, Inc., of Jacksonville, Florida, had been very concerned about aquatic preserves and by telegram, received too late to be mentioned on the agenda, had requested an opportunity to give the Trustees copies of "Salt Marsh Values - Duval-Nassau County Area" by George P. Spinner and Helen P. Bird. Mrs.Bird spoke of the importance of the coastal wetlands, research and proposed measures to protect estuaries, and suggested that the Trustees begin a study to determine whether the

State of Florida could reacquire submerged lands.

Attorney General Faircloth thanked Mrs. Bird for reminding the Trustees of the necessity of continuing the policy of aquatic preserves.

Mr. Apthorp said the staff appreciated the help of this kind of group, and they would attend the meeting on this date of the Interagency Advisory Committee.

BISCAYNE NATIONAL MONUMENT - Acquisition of Private Property. State Treasurer Broward Williams reminded the Board that on August 12 he had asked for information on the prices being offered and paid to private owners by the Federal Government for lands within the Biscayne National Monument boundaries, which he had heard were less in some cases than the owners had paid for their properties. He had understood that the Corps of Engineers would make a report to the Trustees on the matter.

Mr. Apthorp said the staff had received a letter, copies of which were furnished to the Trustees, that he had discussed the subject further with Mr. George Fryer, Chief of the Real Estate Division of the Jacksonville District of the U. S.Corps of Engineers, the acquisition agent, and they were reluctant during the period of negotiation to furnished details but assured him that they had signed no contract with anyone for less than the owner had paid for the land.

Mr. Williams was still very concerned about causing the prices to go down, felt that the private property owners were entitled to some protection, and he wanted to know that they were being treated right. Mr. Apthorp said the staff would check into the matter again.

On motion duly adopted, the Trustees adjourned the meeting.

Earl Faircloth
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

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Tallahassee, Florida
September 30, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education

James W. Apthorp — Executive Director

9-30-69

On motion duly adopted, the Trustees approved the minutes of the meeting held on September 23, 1969.

LEE COUNTY - File No. 2194-36-253.12, Application to Advertise. The Captiva Islands Co., represented by Emmet B. Anderson, applied to purchase 4.0 acres of sovereignty lands of Pine Island Sound and Chadwick Bay lying landward of established bulkhead line in Sections 22 and 23, Township 45 South, Range 21 East, Captiva Island, Lee County, for the purpose of real estate development. An M. A. I. appraiser had reported a value of $250 per acre, but the applicant offered $1,000 per acre for the land.

The biological report was not adverse, stating that "This is an excellent bulkhead line and development proposal, and demonstrates that with cooperation and understanding, the best interests of conservation and development may be served." On May 16, 1969, the Trustees approved the bulkhead line which follows the mean high water line very closely. The county had reviewed the bulkhead lines in this area, and staff placed the application on the agenda under hardship policies and at the request of the Commissioner of Education.

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted without objection, that the land be advertised for objections only.

COLLIER COUNTY - File No. 2154-11-253.12, Advertisement, Land Exchange, Purchase, Clearing Title.
Collier-Read Company, represented by Paul T. O'Hargan of Tri-County Engineering, made a proposal involving all those submerged and sovereignty lands lying within Development Tracts A, B, C, D and E, according to the Collier-Read Tract Map, Plat Book 8, Pages 46 and 47, public records of Collier County, in Township 51 South, Range 26 East, Collier County. Collier-Read proposed to convey 500 acres to the Trustees and together with the Trustees, 337.44 acres to The Nature Conservancy. The applicant desired to obtain title to 167.85 acres of Trustees' land within the established bulkhead line, proposed to dedicate 320.55 acres to Collier County for public waters, and would convey an additional 57.14 acres to The Nature Conservancy. An appraisal had been ordered of the 167.85 acres to which the applicant desired to obtain title for real estate development.

The biological report was adverse, but stated that "This bulkhead line represents a compromise between maximum development and no disturbance of the subject area...there has been a deliberate effort on the part of the applicant...to protect certain productive areas from dredging and filling."

The staff recommended the following:

1. Collier-Read to convey record title to non-existent lands bayward of established bulkhead line in exchange for non-existent water areas landward of said bulkhead line, between U. S. meander lines. Difference in acreage is not to be considered.
2. Collier-Read to convey to Trustees and Trustees to dedicate conservation areas as indicated on Tract Map to The Nature Conservancy. The dedication to be authorized on the date of confirmation of sale to Collier-Read.
3. The Trustees will waive fees for fill material to be removed from channels in those areas lying inside the U. S. meander line.
4. All fill materials obtained from channels outside the U. S. meander line will be subject to the usual 10¢ per cubic yard

charge. The applicant's engineer to furnish certificate as to estimated quantities of material at time application is submitted for dredge permit.

5. The Trustees to convey to the Collier-Read Company 167.81 acres of submerged and sovereignty land at the rate of $125 per acre or at the appraised value, whichever is the greater.
6. Recommend advertisement for objections only.

The Director said that since the Board approved the bulkhead line last spring, the staff had held a number of conferences with applicant's representatives, that the proposals recommended would implement what was worked out and represented the details of what had been agreed, that the land was a small strip around the bulkhead line. Mr. Adams and other members asked some questions which the Director answered.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the staff recommendations be approved as the action of the Board.

CLAY COUNTY - File No. 1809-10-253.12, Denial of Sale.
On May 10, 1966, the Trustees deferred final action on application of James E. Yonge after advertisement for objections of a parcel of sovereignty land in Doctors Lake abutting Section 41, Township 4 South, Range 26 East, in the Town of Orange Park in Clay County. Numerous objections had been received and the Trustees directed that there be further investigation. No sales of submerged land had been made in the area.

The biological survey report submitted in connection with establishment of the bulkhead line was not adverse. The Interagency Advisory Committee report recommended that the bulkhead line be relocated at the line of mean high water.

Staff recommended denial of sale and deactivation of the file based on the bulkhead line relocation recommendation of the Interagency Advisory Committee, the precedent of the first sale in the area, and number of objections filed.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees denied the sale and ordered deactivation of the file.

DADE COUNTY - Temporary Easement.
The Dade County Board of County Commissioners by Resolution No. R-486-69 requested a temporary pipe line easement for a period not to exceed ten years, in connection with the Beach Erosion Control Project at Virginia Key, the easement to be issued to the U. S. Corps of Engineers.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees granted the temporary easement as requested.

DUVAL COUNTY - Easement, File No. 2258-16-253.03.
The U. S. Department of the Navy requested two sewer outfall line easements in the St. Johns River extending from the Naval Air Station, Jacksonville, 10 feet wide by 568 feet into the river. The Department of Air and Water Pollution Control had reviewed the project and offered no objections. Staff requested waiver of requirement for biological report, and authority to issue the instrument.

Secretary of State Tom Adams called attention to discussion of Duval County items two weeks ago for the Jacksonville Port Authority, corrected statements which had reported that members of the Board said the Port Authority was making a cesspool of the St. Johns River, and said the Board was going to try to revitalize the river. They had requested a look at the long-range plans of the Port Authority, which Mr. Apthorp said would be presented at the next meeting, after previous discussion with the members' staff assistants.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement to the Department of the Navy.

LEON COUNTY - Easement for Right of Way.
The State of Florida Department of Transportation requested easement for right of way over bottoms of the Ochlockonee River in Lot 3, Section 23, Township 1 North, Range 2 West, 0.69 acres, more or less, in Leon County, needed for construction of additional two-lane bridge across the river on State Road 10, Section 55060-2511, Parcel No. 110.1. There would be no dredging or filling in the easement area.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that right of way easement be granted to the Department of Transportation.

DADE COUNTY - Lease-Option to Purchase.
On December 21, 1961, the Trustees and State Board of Education entered into 10-year lease with option to purchase (No. 1640-1640-S) with Aerojet-General Corporation covering a tract of 25,313 acres in the southwest part of Dade County. The lease had been advertised for competitive bids for annual rental and price per acre in event of exercise of purchase option. Aerojet had bid $2.50 per acre annual rental with privilege to purchase the land at any time during lease term for $50.00 per acre, either by purchase contract with 20% down and balance in 10 equal annual installments at 5% per annum interest on unpaid balance, or by paying cash and receiving fee simple deed. The lease was made subject to cancellation in the event of no construction of a manufacturing plant and associated facilities on the leased land or land leased or controlled contiguous within one year. The lease prohibited Aerojet from using the leased land for purposes of land speculation for a period of 10 years from date of lease.

Aerojet-General Corporation had complied with the terms and conditions of the lease, and desired to exercise its option to purchase all of the leased land under purchase contract after payment of 20% of the total price of $1,265,650.00, less unearned rent. Staff recommended issuance of purchase contract subject to approval of the Attorney General as to form and legality. The Director said the recommendation was based on the terms of the original transaction, but indicated feeling that current land values might be greater.

Mr. Williams asked for deferral for a week for study by the Attorney General. Mr. Christian said he also had some reservations but it appeared that the Board was obligated under terms of the lease. Mr. Adams agreed to a week's delay but said he had studied the matter and the $50 per acre figure was absurd, that where a mistake had been made eight years ago the Board, now composed of seven members, should correct it.

Mr. Faircloth asked for further time to review the lease to determine if there was any way to break it, as he too thought the price was inadequate.

The motion by Mr. Williams to refer the matter to the Attorney General for study was adopted without objection.

PALM BEACH COUNTY - File 24981(1991-50) - 253.124, Fill Permit. DiVosta Rentals, Inc., represented by Brockway, Owen and Anderson Engineers, Inc., applied for approval of a fill permit issued by the City Commission of West Palm Beach on September 2, 1969. Fill material would be hauled in, with no dredging in Lake Worth.

The biological report dated March 19, 1969, submitted in connection with the purchase application, was not adverse to development. The Trustees confirmed sale of the parcel on May 13, 1969. The Area Planning Board of Palm Beach County registered no objections. The Trustees' staff recommended approval of the fill permit.

Several objections were received related to the local zoning, the objectors anticipating construction of high-rise apartments on the site. The Director said this was under the jurisdiction of the local government.

Mr. Herbert Benn, speaking as a citizen of Palm Beach County, and for other objectors, pointed out the possibility that apartment construction on the application site and adjoining parcels would damage the view. He urged denial of the fill permit and denial of a purchase application for Dr. Roy scheduled for consideration later. He asked the Trustees to require that no building be constructed in order to preserve the view. Action in 1924 of allowing riparian owners to retain a small strip on the lake when Flagler Drive was widened was tragic, he thought, if it resulted in those owners of one foot strips being allowed to purchase and fill out into the lake, speaking of the length of shoreline along Flagler Drive. He exhibited a map of the area.

Mr. Bob Brockway, speaking on behalf of the applicant, called attention to the irregular shoreline at this point, indentations causing collection of debris, the application having been approved by the city with no adverse reports from the Board of Conservation biologist or the Area Planning Board, the recent date of the sale made by the Trustees. He said that building restrictions were controlled by the local governing body which had zoned the area R5 over a year ago, and that appraisal and sale were based on that type of zoning. He denied Mr. Benn's implications of responsibility of his engineering firm and said these things were the official position of the City of West Palm Beach.

The Trustees asked a number of questions, and Mr. Benn further stated that he was making the point that it was a matter of the public interest to preserve the view, and suggested that the state might proceed to condemn that one-foot strip along Flagler Drive to protect that view for miles along the lake.

At the suggestion of the applicant's representative, motion was made by Mr. Williams and adopted that the Trustees postpone action pending further consideration of the questions raised on this date.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Frank C. Youles, Jr., applied for permission to perform maintenance dredging in an existing yacht basin in the Indian River in Section

2, Township 28 South, Range 37 East, Brevard County. The material removed would be placed on upland property.

The Department of Natural Resources indicated that the proposed project should not have significant adverse effects on marine resources.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of dredge permit for the improvement of navigation.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The United States Department of the Navy, Southeast Division, Naval Facilities Engineering Command at Charleston, South Carolina, applied for permission to dredge to install a sewer outfall in the St. Johns River in Section 39, Township 3 South, Range 26 East, Duval County.

Staff was advised by Florida Air and Water Pollution Control Department that they concur with the Bureau of Sanitary Engineering, Department of Health and Rehabilitative Services, which agency had no objections to the project.

Request was made that the biological report be waived as provided in Chapter 253.123(3)(a) Florida Statutes, as the project would serve the public need.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. St. Lucie Marine, Inc., by its president, Richard B. Dunning, applied for permit for dredging a navigation channel 50 feet wide by 5 feet deep adjacent to applicant's property on the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County. The material removed would be placed on upland property.

The Department of Natural Resources biological report indicated that there should be no significant adverse effects on marine biological resources.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. The United States Department of the Navy, Southeast Division, Naval Facilities Command, applied for permit for installation of a sewer outfall in the Gulf of Mexico in Section 21, Township 67 South, Range 26 East, Monroe County.

Florida Air and Water Pollution Control Department advised that approval by that agency was not required because the existing outfall line would be used. Staff requested waiver of requirement of biological report as provided in Chapter 253.123(3)(a) Florida Statutes, as the public need would be served.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - At the request of the Department of Natural Resources,

the Director asked for deferment of consideration of an application from Captain Floyd Davis for a dredge permit for construction of a boat basin and a navigation channel.

It was so ordered.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. William Kemp applied for permission for a navigation channel 40 feet wide by 5 feet deep in Hawk Channel adjacent to his upland property in Section 12, Township 62 South, Range 38 East, Monroe County. He tendered check for $130.00 for the material which would be used to fill low areas in his upland.

The Department of Natural Resources biological report indicated that the channel would have limited adverse effects on marine life, that future development in the immediate area should make use of perimeter channels and use the subject channel as an outlet to deep water.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the requested dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Gregg, Gibson and Gregg, Inc., applied for permission to dredge a canal 100 feet wide by 12 feet deep in Section 37, Township 18 South, Range 34 East, Volusia County. An over-size canal was needed by the applicant, who offered $1,800.00 for the fill material from the overdredge.

The Department of Natural Resources biological survey report indicated that the proposed project would have adverse effects on marine life but that there appeared to be no alternative to the alignment designated.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge permit subject to payment of $1,800.00 for the material.

CHARLOTTE COUNTY - State Dock Permit, Section 253.03 Florida Statutes. Chucks Marina, Inc., by its president, Philip L. Chamberlain, requested permit for seven boat slips adjacent to his upland on Rockey Creek in Sections 7 and 8, Township 41 South, Range 20 East, Charlotte County. All required exhibits including $100 processing fee for the proposed construction were furnished, and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Williams, and adopted, the Trustees approved issuance of the commercial dock permit.

DUVAL COUNTY - State Dock Permit, Section 253.03 Florida Statutes. The City of Jacksonville, by James S.English, Director of Public Works, applied for permit for the construction of three floating docks at existing Mayport Boat Launching Ramp in St. Johns River in Section 38 of the Andrew Dewees Grant, Township 1 South, Range 29 East, Duval County. Staff requested waiver of $100.00 processing fee since the docks were for a public facility.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dock permit without charge.

HILLSBOROUGH COUNTY - State Dock Permit, Section 253.03 Florida Statutes.

James L. Martin applied for an after-the-fact permit for construction of a commercial dock adjoining his upland on the Alafia River in Section 24, Township 30 South, Range 19 East, Hillsborough County. All required exhibits were furnished, including the $100.00 processing fee.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the commercial dock permit.

SARASOTA COUNTY - Deed No. 24945(2019-58)

Without objection, the Trustees accepted the language developed by the staff and approved by the Governor's office, the Department of Transportation and by Senator J. A. McClain, Jr., as the restrictive covenant and reverter provision in the deed conveying 0.93 acre of filled sovereignty land to Per A. O. Scheutz, et ux.

The additional language set out in memorandum to each member and included in Deed No. 24945(2019-58) was as follows: "...however, such construction shall not encroach or have any adverse effect upon aforesaid drainage easement encumbering the hereinbefore described parcel nor prevent access for purposes of repair or maintenance of the drainage outfall system;", and the Trustees present executed the new deed.

LITIGATION - The Trustees were named parties defendant in litigation styled Cecil Varnes vs. Claude R. Kirk, Jr., et als, Case No. 69-988, Second Judicial Circuit, Leon County, regarding lease of certain oyster beds in the Apalachicola Bay in Franklin County. The Attorney General's office requested advice as to whether or not the Board desired to be defended by the Attorney General.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees requested the Attorney General to defend the Board in the case.

LITIGATION - The Trustees took no action with respect to the employment of outside counsel in pending litigation with Coastal Petroleum Company. Time was short on this very important case and Governor Kirk said he thought the Board should have the Attorney General handle the matter. Mr. Faircloth said that pre-trial conferences were scheduled for October 13 with trial set for October 20, and that his office would stay on the case.

On motion by Mr. Williams, it was so ordered.

On motion duly adopted, the meeting was adjourned.

GOVERNOR / CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

9-30-69

Tallahassee, Florida
October 7, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Jim Apthorp — Executive Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on September 30, 1969.

COLLIER COUNTY - City of Naples Bulkhead Line Review and Progress Report.

The City of Naples in Collier County had responded to the request of Trustees' Director regarding review of bulkhead line relocations in accordance with the recommendations of the Interagency Advisory Committee. The city was of the opinion that (1) where development was complete, no action for relocation was required; (2) as to the remainder of the lines located within the city, all except three instances conformed to the Interagency Advisory Committee recommendations; (3) due to the salinity line study being undertaken jointly by the county and city, those areas that conflict with the report should not be acted upon at this time.

Mr. Apthorp said the city action constituted satisfactory progress and the studies would lead to relocation of bulkhead lines.

The Trustees accepted the report.

INDIAN RIVER COUNTY - Town of Indian River Shores, Bulkhead Line Review and Progress Report.

The Town of Indian River Shores, by letter dated July 9, 1969, from the City Attorney, notified the Trustees' office that their bulkhead line review had been completed in accordance with the request of June 2, 1969, pursuant to Trustees' directive. Except for an area southeast of Sister Island, the Town of Indian River Shores reaffirmed all lines as located. The established bulkhead lines coincide with boundary lines of Trustees' conveyances of sovereignty lands.

The staff was of the opinion that the action taken by the Town was consistent with Section 1 of the Trustees' policy adopted July 1, 1969.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees accepted the report.

INDIAN RIVER COUNTY - File No. 23555(1074-31)-253.124, Fill Permit; Dredge Permit, Section 253.123 F. S.

Lost Tree Village Corporation, represented by Sherman N. Smith, Jr., requested approval of a fill permit issued by the Town of Indian River Shores by resolution adopted October 2, 1969, and requested issuance of dredge permit to excavate 60,000 cubic yards of material from sovereignty lands. Applicant agreed to pay the usual rate of 10¢ per cubic yard for material. The major portion of the dredge area would be within the applicant's ownership, which was conveyed by the Trustees on December 3, 1963. All material would be deposited on land above mean high tide line. Staff recommended approval.

The biological report received on September 26, 1969, was generally adverse, however the project had been modified in an attempt to preserve the 300-ft. wide by 1½ mile long strip originally designated as a dredging area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the fill permit issued by the Town of Indian River Shores and authorized issuance of dredge permit as requested.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Power and Light Company of Miami, Florida, applied for permit for installation of a submarine cable crossing the Intracoastal Waterway adjacent to and south of the Sunny Isles Boulevard Bridge (State Road 826) in Section 14, Township 52 South, Range 42 East, Dade County.

The biological survey report from the Department of Natural Resources indicated that the proposed project would not adversely affect marine biological resources.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the requested dredge permit.

HILLSBOROUGH COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Storage and Pipeline Corporation, Tampa, Florida, applied for permit for the installation of a sub-aqueous oil line in Hillsborough Bay in Township 30 South, Range 19 East, Hillsborough County.

The Department of Natural Resources biological survey report indicated that the proposed project should not significantly affect marine life in the area. The Department of Air and Water Pollution Control had no objections to the installation.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the requested dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. The staff recommended approval of a partial after-the-fact dredge permit to George R. Dennis, represented by Bailey, Mooney, Post Associates, Inc., to complete the construction of a boat basin and breakwater in the Atlantic Ocean at Lower Matecumbe Key in Section 21, Township 64 South, Range 36 East, Monroe County. Construction was to be entirely within the boundaries of submerged land acquired by the applicant under Trustees' Deed No. 21887 dated September 5, 1958.

The applicant started work about the first of January and was stopped by the Board of Conservation. The biological study report showed that on the day of inspection construction had progressed to the point that it was impossible to evaluate, but that completion of the project would not increase adverse effects which might have occurred.

Mr. Adams asked why the staff recommended no penalty assessment. The Director explained that under the Guidelines adopted by the Trustees allowing penalty assessment, such penalty to be retroactive as allowed by law, as interpreted by the office of the Attorney General on request of the staff it did not appear that a penalty could be assessed. For any work that was done after the adoption of the Guidelines, the staff would recommend penalties. It was noted that the work was done over privately owned land and the biologist reported that completion of the work would not increase any damage that might have been done.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit recommended by the staff.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Robert R. Soellner, represented by James T. Glass of Bailey, Mooney, Post Associates, Inc., applied for permit to construct a navigation channel 50 ft. wide by 5 ft. deep across applicant's ownership to connect an existing boat basin constructed on applicant's upland property with the Bay of Florida in Section 6, Township 62 South, Range 38 East, Monroe County. The material removed would be placed on applicant's upland.

The biological study report from the Department of Natural Resources indicated that less damage to marine resources would occur if the channel were reduced in width to 25 or 30 feet, however staff recommended approval of the width requested by the applicant since it was needed to provide safe navigation due to the coral bottom in the area.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of dredge permit as recommended.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes. John A. Tripp, Secretary of Fairview of Florida, Inc., applied for a state commercial dock permit for construction of a pier in Biscayne Bay adjacent to Lots 1 and 2, Block 3, Fairview, Plat Book 4, Page 176, public records of Dade County. All required exhibits including $100.00 processing fee were furnished and the staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the state dock permit.

CLAY COUNTY - Dock Permit, Section 253.03 Florida Statutes. C. J. Massee, for Villas Continental at Orange Park, Florida, applied for state commercial dock permit for a dock on the west wide of the St. Johns River adjacent to Section 41 of the Z. Kingsley Grant in Township 4 South, Range 26 East, Clay County. All required exhibits including $100 processing fee were furnished and the staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the state dock permit.

PINELLAS COUNTY - Dock Permits, Section 253.03 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued the following commercial dock permits subject to approval by the Trustees:

1. Frank Ferrari, Treasure Island, Florida, to construct a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East
2. St. Petersburg Yacht Club, Inc., St. Petersburg, Florida, to construct a dock in Tampa Bay in Section 19, Township 31 South, Range 17 East
3. Paul Piedmont, Treasure Island, Florida, to construct a dock in Boca Ciega Bay in Section 23, Township 31 South, Range 15 East
4. Walter Reagan, Clearwater Beach, Florida, to construct a dock in Clearwater Pass in Section 8, Township 29 South, Range 15 East
5. Regency West Apartments, Inc., St. Petersburg Beach, Florida, to construct a dock in Boca Ciega Bay between 55th Avenue and 59th Avenue on St. Petersburg Beach adjacent to Tract 8 of Normandy, Inc., in Township 31 South, Range 16 East.

All required exhibits including $100.00 processing fee for state commercial dock permit were submitted for each application.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the Trustees authorize issuance of the five state dock permits.

WEST FLORIDA COUNTIES - Hurricane Camille Damage.
Riparian properties along the coast of the Gulf of Mexico, bays and bayous of West Florida Counties experienced severe damage as a direct result of Hurricane Camille. In some instances terraced and landscaped lawns were undermined and washed away, and in other areas damage was reportedly so extensive that the foundations of houses were in danger of collapsing.

Staff requested permission to administratively authorize installation of protection devices in and restoration of these critical areas after, but only after, an on-site inspection and investigation revealed that the damage was a direct result of Hurricane Camille. The inspection team would consist of Board of Trustees and Department of Natural Resources personnel.

Mr. Apthorp said this action would be temporary and the staff would report any authorization given, that there were areas of great erosion and damage and instead of the lengthy procedure involving engineering and biological reports in preparation of applications, the staff would like to authorize temporary protection devices.

Mr. Christian said it was a very good idea and a good way to attack the problem. On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the staff request.

BROWARD COUNTY - Hallandale Beach Restoration Project,
Exchange of Instruments.
Mr. S. Lee Crouch, on behalf of the following two applicants: (1) The Hemispheres Development Corporation, record owner of the South 650 feet of the North 2,350 feet of Tract 2, less the Westerly 17 feet thereof, 2nd Amended Plat of Seminole Beach, Plat Book 15, Page 19, public records of Broward County, Florida; (2) Jack Parker Construction of Florida Corp. No. 2, record owner of the South 300 feet of the North 2,750 feet of Tract 2 less the Westerly 17 feet thereof, 2nd Amended Plat of Seminole Beach, Plat Book 15, Page 19, public records of Broward County, Florida; requested ex parte disclaimers for lands lying landward of the established bulkhead

line approved March 18, 1969, in connection with the Hallandale beach restoration project.

Each applicant had executed a quitclaim deed in favor of the Trustees to the lands lying oceanward of the bulkhead line, and had granted to the City of Hallandale an access easement to the beach. Staff recommended issuance of ex parte disclaimers subject to approval of all instruments by the Attorney General.

The Bureau of Beaches and Shores, Department of Natural Resources, offered no objection to the exchange of instruments.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted, that the Trustees authorize issuance of ex parte disclaimers to The Hemispheres Development Corporation and to Jack Parker Construction of Florida Corp. No. 2, subject to approval of all instruments by the Attorney General.

PALM BEACH COUNTY - File No. 2192-50-253.129.
First National Bank and Trust Company of Boca Raton, Trustee, represented by Brockway, Owen & Anderson Engineers, Inc., requested a disclaimer for filled sovereignty lands in Lake Worth abutting the North 150 feet of the South 1000 feet of the North 3,500 feet of Section 23, Township 44 South, Range 43 East, containing 0.392 acre in Palm Beach County filled prior to June 11, 1957, the effective date of the Bulkhead Act. All necessary exhibits had been furnished.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of disclaimer under provisions of Section 253.129 for the usual $100.00 processing fee.

BAY COUNTY - Aquaculture Lease.
Marifarms, Incorporated, of Panama City, Florida, formerly Akima International, Inc., filed an application pursuant to law for a commercial aquaculture lease covering 2,500 acres of submerged land in West Bay, Bay County, for the purpose of raising shrimp. Applicant was proceeding to have the area surveyed for a legal description, and had submitted $1,500.00 to be retained until such survey was completed. The Department of Natural Resources was in the process of making appropriate marine biological surveys of the area, as required by law.

Staff requested authority to advertise the 2,500 acres for bids and request objections pursuant to law and guidelines established by the Trustees on August 26, 1969, on the following: (1) Term: 10-year lease subject to renewal for additional 10-year periods upon agreement of both parties; (2) Rental: Bidding consideration will be the highest annual rental offered with minimum rent as follows: First 1½ years, $3.00 per acre; 1½ through 5 years, $5.00 per acre; 6 through 10 years, $10.00 per acre; (3) Royalty: to be determined after first 1½ years' operation under lease as set forth in guidelines.

Motion made by Mr. Faircloth, seconded by Mr. Williams, that the staff be authorized to advertise as suggested above, was not adopted at this time as considerable discussion followed and another motion was made hereafter.

Mr. Adams said the efforts in this area held much promise for the state, that he was aware there had been much careful review of criteria under the law, Chapter 69-46, Acts of 1969, and the Guidelines adopted by the Trustees, but he pointed out that if all went

well sizable sums of money might be made using the state's sovereignty land and he thought 1½ years might be too short a time to assess the production on which royalty would be based, and he wanted the state to get its fair share.

Representative John R. Middlemas asked questions to clear up some procedural things, he said. Particularly he wanted to know whether the Trustees were committing themselves to leasing to the highest bidder, whether there would be a hearing, and he thought minimum bids should not be shown in the notice.

The Trustees had already decided on rent plus a royalty and while aquaculture (mariculture) was a new field, information indicated that it would take 6 months to prepare a site and 6 more months to get into production. It appeared that in 1½ years there would be full production and financial reports which the lessee was required to furnish would be used to figure the amount of royalty the state would receive.

The staff was requesting authority to advertise for objections and bids. It was noted that there was only one party qualified to bid, having the consent of the upland owner, that if objections were received there would be a public hearing as provided in the law, that the staff had made reasonable assumptions as to what the minimum rental value should be, that the Trustees reserved the right to reject the bids. The Director said that Chapter 69-46 passed by the Legislature authorized this kind of activity and the staff proposal complied with the law in every respect.

Mr. Adams explained that while the Board was only allowing advertisement and was not irrevocably committed to sale of a lease, it was the first step and indicated that an application from a qualified bidder offering the minimum or more would be considered for issuance of a lease. Mr. Dickinson added that if Mr. Middlemas wished to register objections for the record or for litigation in the courts, that opportunity would be afforded.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted without objection, that the Trustees authorize the staff to advertise the 2,500 acre area for bids for a lease and request objections pursuant to law and the Trustees' Guidelines, on the terms, rental and royalty suggested by the staff.

TRUSTEES FUNDS - State School Trust Fund.
On September 9 the Commissioner of Education, Floyd T. Christian, requested that a time be scheduled for discussion by the Board of the method of computing payments to the State School Trust Fund. Based on a memorandum from the Attorney General's office, in August 1968 the method of computing payments was changed to twenty-five per cent of the proceeds from only public lands rather than twenty-five per cent of the proceeds from state lands which include sovereignty lands. The Director had furnished the members a report dated September 16, 1969, on the matter, showing that payments made based on the proceeds from public lands as defined in that opinion from the Attorney General's office were $241,690.08 less than what the State School Trust Fund would have received under the old method of payment of twenty-five per cent of all revenue from state lands (less operating expenses) for the period from August 1968 through July 1969.

Mr. Christian said he disagreed on the legal interpretation and on other grounds, that for over forty years the permanent school fund had received the twenty-five per cent from proceeds of sale from

all lands and the interest only was used for education, that it was a letter and not an official opinion from the office of the Attorney General which pointed out that public lands did not include sovereignty or Murphy Act lands, that the General Counsel of the Department of Education disagreed with the interpretation and his letter dated October 6 was handed to the members. Also, Mr. Christian pointed out that there was no authorization from the Board for the change in policy and the original policy of paying twenty-five per cent of all land proceeds should be followed.

Attorney General Faircloth thought it was a matter of policy, he agreed with Mr. Rivers Buford to some extent, and he made a motion, seconded by Mr. Williams, that the Trustees continue the original policy of payment of twenty-five per cent of the proceeds of the sale of all state lands to the State School Trust Fund. At the request of Mr. Christian, Mr. Faircloth amended his motion to provide for retroactive payments to the date the original policy was changed. Mr. Williams seconded the amended motion.

The Director said that since there were legal questions and differences of opinion among attorneys, he would like to request a formal opinion from the Attorney General.

Mr. Adams made a substitute motion that the matter be held in abeyance until the appropriate question could be asked and an opinion prepared by the Attorney General. Governor Kirk agreed that it would be appropriate to look into the legal questions involved and said he thought that a delay of a week or so would do no harm, but Mr. Christian urged that the Trustees return to the former policy until such an Attorney General's opinion or the Court showed it was wrong.

Mr. Adams' substitute motion was adopted on a vote of four to three, as follows: Yeas, Messrs. Adams, Dickinson, Conner and Governor Kirk; Nays, Messrs. Faircloth, Williams and Christian.

Mr. Christian asked if the members of the Board were willing to abide by the opinion of the Attorney General, and asked to see the question before it was submitted to the Attorney General by the Director.

Mr. Williams suggested that the next session of the Legislature might be asked to clarify the situation.

LITIGATION - Staff renewed request for authority to employ outside counsel to represent the Trustees in pending litigation concerning Coastal Petroleum Company. Further discussion with the Attorney General had indicated that the Board should reconsider the matter. It was felt that outside counsel could best handle the litigation in view of the pending transition from legal representation by the Attorney General to employment of in-house counsel.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted, with Mr. Dickinson voting "No", that for the particular litigation mentioned the Trustees authorize the employment of outside counsel.

JACKSONVILLE PORT AUTHORITY - On September 16 and 30, the Secretary of State had mentioned the desire of the Trustees to have a report and review long-range plans of the Jacksonville Port Authority. On this date with maps, slides and explanation by Mr. Dave Rawls, Engineering Director of the Jacksonville Port Authority, who was accompanied by Mr. William Mills and Mr. D. J. Lanahan, the Trustees were given a review of the plans for deepening the St. Johns River and utilizing that great natural resource in the development of a

major port and center of transportation for the Southeastern United States. It was particularly pointed out that marginal wharfs would eliminate the slips where debris and pollution accumulated, that a large container facility was being constructed on Blount Island, that measures were being taken to eliminate raw sewage from the river, that adjustments had been made to preserve and protect many acres of estuarine marshes and disturb the ecology of the river as little as possible.

Secretary of State Adams commended the Authority on what had been done especially in reducing pollution from the St. Johns River and efforts to preserve breeding grounds for marine life, and expressed the concern of the Board for further improvements along these lines.

DADE COUNTY - File No. 2262-13-253.12. Mr. Logan Manders, an attorney from Miami, asked to be heard with reference to property adjacent to the Oleta River in Dade County. He furnished each member with bound information material and in review mentioned action by the Trustees on applications with a history starting in 1959, minutes of 1964 showing approval of a land exchange to Raymond G. Williams, maps and tracings of aerial photographs showing changes in the Oleta River. He said their investigation showed the state's right to land on which the applicant, Enterprise Properties Limited through Logan Manders, general partner, had title insurance. The applicants asked the Trustees to request the Attorney General to secure an appropriate injunction staying all activities on the property in question which for three years had been involved in pending mortgage foreclosure action, and asked that the land be sold to the applicant based on the 1964 appraisal with payment of penalty on pro-rata basis plus a reasonable amount of interest for five years. If neither of those requests proved practicable, Mr. Manders suggested that R. G. Williams might in some way correct the problems encountered by the present fee holder who purchased in 1966.

The Director advised the Trustees that the staff had talked to Mr. Manders on numerous occasions, that he could not recommend an application without a current appraisal, and action could not be recommended while questions of legality surrounding the foreclosure were in the bosom of the court.

Mr. Faircloth said the Trustees were in the case asserting the claims of the state to ownership. Mr. Herb Benn, Assistant Attorney General, further explained that the questions raised had been presented to the court in Dade County, the court had appointed a receiver, and until court adjudication of the questions, the Trustees were advised to let the matter rest.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the matter be deferred until it could be properly brought up on an agenda.

SUBJECTS UNDER CHAPTER 18296

NASSAU COUNTY - Staff requested authority to withdraw from sale approximately 295 acres of land described as Government Lots 2, 5, 6, 7, 8 and 10 (swamp lands), in Section 49, Township 2 North, Range 28 East, Nassau County, containing 295 acres, more or less, and that the Interagency Advisory Committee determine whether or not the lands are suitable for inclusion in proposed Nassau Marsh Aquatic Preserve.

The Director said investigation was under way to locate other areas

that might be withdrawn from sale.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted, that the described Murphy Act lands be withdrawn from sale as requested.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
October 14, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved the minutes of the meeting held on October 7, 1969.

DADE COUNTY - File No. 2144-13-253.12, Land Sale Deferred.
On August 26, 1969, the Trustees authorized advertised for objections only a parcel of sovereignty land containing 0.74 acre in Canal Haciendo in Section 32, Township 54 South, Range 42 East, Key Biscayne, Dade County, applied for by Key Biscayne Yacht Club, Inc., represented by Carr Smith and Associates, Inc. Notice of sale was published in the Miami Herald, proof of publication filed in the Trustees' office.

Numerous objections were received, mainly directed at the proposed use that might affect adjoining property values. The Director explained that the applicant had furnished no development plan but had verbally stated an intention to fill the small canal which the staff had become aware was a popular spot used by people in the area. Staff recommended deferment until a complete development plan had been furnished for the Trustees to review, and that final action be scheduled for January 13, 1970.

On motion made by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees accepted the staff recommendation for deferment pending receipt of a complete development plan from the applicant, and further consideration on January 13, 1970.

PALM BEACH COUNTY - File No. 2233-50-253.12, Land Sale Deferred. On September 2, 1969, the Trustees authorized advertisement for objections only upon application from Dr. Raymond Roy, represented by Brockway, Owen & Anderson Engineers, for a parcel of sovereignty land embracing 0.512 acre in Lake Worth abutting Section 27, Township 43 South, Range 43 East, City of West Palm Beach, Palm Beach County. An appraisal was ordered on September 4, 1969. Notice of sale was published in the Palm Beach Post, proof of publication filed in the Trustees' office.

Objections to the sale have been filed, in addition to the objection expressed on September 30 by Mr. Herbert Benn who spoke as a citizen of Palm Beach County in opposition to a fill permit application by DiVosta Rentals, Inc. On this date Mr. Benn said the zoning authorities had been requested to take action on these applications and Governor Kirk asked that he convey his feelings as a resident of Palm Beach County against dredging and building skyscrapers in that location.

The staff recommendation for deferment, requested by the applicant's representative, until the applicant was able to appear in person before the Board, was adopted by the Trustees on motion made by Mr. Williams.

BREVARD COUNTY - File No. 2172-05-253.12; Denial and Refund. Mrs. R. W. Rummell, Jr., applied to purchase 0.83 acre parcel of sovereignty land in the Banana River abutting fractional Section 17, Township 26 South, Range 37 East, Merritt Island, Brevard County, for the purpose of improving waterfront property.

The biological report from the Department of Natural Resources dated September 11, 1969, stated that sale and subsequent development of this parcel would not be in the best interest of marine and wildlife conservation. The parcel lay within the proposed Banana River Aquatic Preserve (A-7), no previous sales had been made in the immediate area, and staff recommended denial of sale, deactivation of file and refund $50.00 of the application fee.

Motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted, that the sale be denied, file deactivated and $50.00 refunded as recommended by the staff.

PALM BEACH COUNTY - File No. 2217-50-253.12; Denial and Refund. Charles Donner, et al, represented by Brockway, Owen & Anderson Engineers, Inc., applied to purchase a parcel of sovereignty land in Lake Worth abutting the North 275 feet of the South 826.4 feet of the S½ of Government Lot 1, Section 35, Township 44 South, Range 43 East, Palm Beach County, for the purpose of real estate development. The parcel contained 1.243 acres.

The biological survey report dated February 8, 1968, stated that dredging and filling in this area would not be in the best interests of marine conservation. The Interagency Advisory Committee recommended relocation of the bulkhead line to the mean high water line. The Trustees had previously denied a sale to Cedar Lane Developers, a nearby owner. Objections had been filed by the Area Planning

Board, Hypoluxo Island Property Owners Association, and others. Staff recommended denial of sale, deactivation of the file and refund $50.00 of the application fee.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the sale be denied, the file deactivated and $50.00 refunded as recommended by the staff.

PALM BEACH COUNTY - File No. 2219-50-253.12; Denial and Refund. Ed Donner Lumber Co., represented by Brockway, Owen & Anderson Engineers, Inc., applied to purchase 0.757 acre parcel of sovereignty land in Lake Worth abutting the North 276.4 feet of the South 551.4 feet of the S½ of Government Lot 1, Section 35, Township 44 South, Range 43 East, Palm Beach County, for the purpose of real estate development.

The biological survey dated February 8, 1968, reported that dredging and filling in this area would not be in the best interests of marine conservation. The Interagency Advisory Committee recommended relocation of the bulkhead line to the mean high water line. The Trustees had previously denied a sale to a nearby upland owner, Cedar Lane Developers. Objections had been received from the Area Planning Board, Hypoluxo Island Property Owners Association, and others. Staff recommended denial of the sale.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, that the sale be denied, the file deactivated, and that $50.00 of the application fee be refunded.

DADE COUNTY - City of Islandia, Biscayne National Monument. The staff requested authority to notify fourteen applicants that in two weeks the Board would consider denial of their applications to purchase sovereignty lands within the City of Islandia landward of the established bulkhead line lying within the Biscayne National Monument. Although the following applications were brought before the Trustees on October 24, 1967, no action was taken and the matter was ordered to be removed from the agenda.

The following applications have not been considered by the Trustees and refund of the application fees was in order:

File No.	Applicant
1237-13-253.12	Annabel H. Smith
1296-13-253.12	Juanita A. Gosser
1299-13-253.12	Esther T. Shocksnider
1397-13-253.12	William H. Krome, et al
1454-13-253.12	Henry R. Bicknell, et ux
1455-13-253.12	Henry R. Bicknell, et ux
1534-13-253.12	Howard M. Bouterse
1567-13-253.12	Malcolm G. MacNeill
1663-13-253.12	James M. Feaster
1736-13-253.12	John F. Michel
1761-13-253.12	C. B. Kniskern, Jr., et al
1765-13-253.12	Armando Garcia, et ux
1886-13-253.12	J. S. W. Davis, et ux
1896-13-253.12	John R. Brons, et ux

The Trustees directed that two weeks' notice be given to the applicants that the above applications will be deactivated and application fees refunded, with the final hearing to be held on October 28, 1969, closing the files. It was noted that the earliest of the applications

was made in 1962 and the latest in 1966. The earliest ones were prevented from coming to the Board because of a dispute between the city and county as to the authority to set bulkhead lines, and later ones were held in abeyance because of the proposed Biscayne National Monument.

Mr. Williams pointed out that these upland owners would be the only ones who could come back later on, that riparian upland owners only would be able to apply for submerged land (in the event it was not included in the Monument).

DUVAL COUNTY - Swamp Lands. Staff requested authority to withdraw from sale 382.72 acres of swamp and overflow lands recently selected by the Swamp Land Selection Agent, described as Government Lots 4, 5, 6 and 7, Section 3; Government Lots 5, 6 and 7, Section 4; Government Lot 5, Section 14; all in Township 1 North, Range 27 East, Duval County. Staff recommended that the lands be withdrawn from sale and that the Interagency Advisory Committee determine whether or not the lands were suitable for inclusion in the proposed Nassau River Marsh Aquatic Preserve.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved the staff recommendation as the action of the Board.

VOLUSIA COUNTY - File No. 2259-64-253.12(6), Quitclaim Deed. Pauline M. Poussaz, represented by Edmund L. Wood, made application to obtain clear title under provisions of Section 253.12(6) to a parcel of filled sovereignty land of the Halifax River abutting the South 1/2 of Lot 44, Roberta Heights, Map Book 19, Page 83, being a portion of Government Lot 2, Section 34, Township 13 South, Range 32 East, Volusia County.

It was explained that where any person, prior to June 11, 1957, had extended or added to existing lands bordering on or being in navigable waters by causing such lands to be filled, the Trustees, upon receipt of application therefor, must convey such lands to the riparian upland owner. The consideration shall be the appraised value of said lands as they existed prior to such filling.

The applicant offered $200.00 per acre, or $190.00 for the 0.95 acre parcel.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, authorizing issuance of the quitclaim deed under provisions of the law.

MARTIN COUNTY - File No. 2263-43-253.03, Right of Way Easement. The Board of County Commissioners of Martin County, as sponsoring agent and on behalf of the United States Corps of Engineers, Jacksonville District, in connection with the St. Lucie Inlet Maintenance Project, requested a channel right of way easement for an existing channel commencing at the junction of the Okeechobee Waterway and the Intracoastal Waterway in the Indian River extending into the Atlantic Ocean. The easement was 500 feet wide by approximately 12,000 feet long. The project was authorized by the Rivers and Harbors Act March 2, 1945, House Document 391, 77th Congress, 1st Session.

Staff recommended waiver of requirement of biological report and requested authority to issue a perpetual easement.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved the staff recommendation and request.

MONROE COUNTY - Easement. The Department of Transportation requested a temporary borrow area on Bahia Honda Key needed for construction of the proposed new Bahia Honda Bridge. The area of 4.20 acres located within an undeveloped portion of Bahia Honda State Park would replace and supersede an offshore borrow area proposed earlier.

The Division of Recreation and Parks had reviewed and approved the borrow location.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted, that the Trustees authorize issuance of the temporary borrow pit easement requested by the Department of Transportation.

DADE COUNTY - Fill Permit, Section 253.124 Florida Statutes. The Department of Transportation requested approval of fill permit issued by the City of Miami on September 18, 1969, in connection with construction of 79th Street Causeway (State Road 828). Land to be filled was conveyed to Dade County by Deed No. 18251 dated July 31, 1934, and is within the established bulkhead line. No dredging was contemplated.

Applicant requested waiver of additional biological survey report, as construction of additional roadway was in the public interest and necessary for relief of serious traffic situation in the area.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the Trustees approve the fill permit.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 23392-36-253.123. Wyman M. Miller, Vice President of Gasparilla Inn, Inc., requested dredging permit to complete a project commenced under District Engineers Permit SAJSP(64-408) now expired, to dredge 70,000 cubic yards of material to be placed upon the eroded beach in Section 13, Township 43 South, Range 20 East, Lee County.

The applicant had submitted payment of $2,000.00 for the material. The Director reported that the work came within the "hardship" provision of the policy adopted July 1, 1969, and that the work should be completed. A biological report submitted by the Board of Conservation on April 16, 1963, and July 16, 1964, was not adverse to the project and acknowledged the eroded condition of the area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit for completion of the project.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123, File 361. The City of Fort Pierce applied for permit for maintenance dredging in the City Marina and in the Indian River in Township 35 South, Range 40 East, St. Lucie County, for the improvement of navigation. Staff recommended approval provided that measures be taken to minimize siltation.

The Department of Natural Resources biological survey report dated September 24, 1969, indicated that the proposed spoil area was

deeper than 6 feet, had a sandy bottom, and the project should not adversely affect marine life.

On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees approved issuance of the dredge permit provided that spoiling in the Indian River be done with a downspout at the end of the discharge pipe to minimize siltation.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Chester F. Martin, President of Riverland, Inc., applied for permit allowing construction of two channels 28 feet by 8 feet by 60 feet, connecting the South Fork of the St. Lucie River with a proposed boat basin to be constructed on applicant's upland property within the John M. Hanson Grant in Township 38 South, Range 41 East, Martin County. The material removed would be placed on applicant's upland property.

Biological survey report indicated no significant adverse effects on marine biological resources, that the bottoms of the river were sandy and unvegetated, and bottoms of the inland lagoon unvegetated and very mucky.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the dredge permit for channel connections.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Protein Products Corporation of Tampa, Florida, applied for 14-month extension of permit to coincide with the expiration date of the Corps of Engineers permit to perform maintenance dredging in Charlotte Harbor in Section 1, Township 43 South, Range 22 East, Lee County. Staff recommended a permit to expire December 31, 1970.

A biological survey was conducted for the project in November of 1966. The Department of Natural Resources advised that another survey was not required for the maintenance dredging since the spoil material would be placed on unvegetated sandbars originally approved and recommended as spoil sites.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The Pinellas County Water and Navigation Control Authority issued Dredge Only Permit No. DO-166, subject to Trustees' approval, to Carlton Arms of St. Petersburg - James Mahaffey, for maintenance dredging in an existing boat basin in Tampa Bay in Section 11, Township 32 South, Range 16 East, Pinellas County. All material to be removed would be placed on uplands.

The Department of Natural Resources biological survey report indicated no objection as long as dredging and spoiling were controlled to minimize siltation.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the application for maintenance dredging.

DADE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Florida East Coast Properties, Inc., Miami, Florida, applied for permit for commercial dock in Biscayne Bay in Section 13, Township 54 South, Range 41 East, Dade County. All required exhibits and

$100 processing fee were furnished.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the state commercial dock permit.

MONROE COUNTY - Dock Permit, Section 253.03 Florida Statutes. Thompson and O'Neal Shrimp Company, Key West, Florida, applied for permit to construct a commercial wharf facility in Key West Bight at Key West in Section 31, Township 67 South, Range 25 East, Monroe County. All required exhibits and $100 processing fee were furnished.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of state commercial dock permit.

DADE COUNTY - File No. 2262-13-253.12. Director Apthorp advised the Board that he was working with Mr. Logan Manders on the matter discussed at the meeting last week and expected to present something to the members for consideration shortly.

DADE COUNTY - Aerojet-General Lease-Option to Purchase. On September 30, 1969, the Trustees referred to the Attorney General for study the matter of the ten-year lease with option to purchase No. 1640-1640-S between the Trustees and the Board of Education with Aerojet-General Corporation covering a tract of 25,313 acres of land in the southwest part of Dade County. The firm had indicated a desire to exercise the option to purchase the leased land.

The Director advised that the Attorney General had notified him this morning that he wished to make a report on the lease. Mr. Herbert Benn, presenting the report for the Attorney General and the Department of Legal Affairs, reviewed the major provisions of the lease and furnished each member with a memorandum on the subject, "Review of Aerojet contract" dated October 14, 1969. He discussed the recommendations of the Department of Legal Affairs that Aerojet be notified pursuant to Item 4 of the contract that the Trustees deem the contract to be canceled for the reasons that there was no consideration exchanged for the option to purchase, there was no consideration for the amendment granted in 1962 and for reasons shown in the memorandum the amendment was void and Aerojet had failed to comply with a covenant of the contract; that the plant that was required to be constructed and put into operation in the interest of the economy of the State of Florida was not functional so as to cause the economic impact as was expected. The second recommendation was that if the Trustees and School Board did not take the above recommended action, then notice be sent to Dade County that state land was being considered for sale as prescribed by Section 253.111 F. S.

Questions raised were whether the Trustees wanted to hear from the lessee, whether action should be taken on this date, whether the land should be sold, and the Director advised that while Mr. A. A. Fisher, Jr., was present representing Aerojet-General, he had indicated that they would prefer to be heard at another time when the matter had been agendaed.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees received the report from the Attorney General and directed that the matter be scheduled on the agenda of the Trustees of Internal Improvement Trust Fund with an opportunity given for the lessee to be heard.

COASTAL PETROLEUM COMPANY - Litigation. Secretary of State Tom Adams brought up the Coastal Petroleum litigation and said that under the circumstances of continuing legal difficulties with this corporation, he would like to know who the stockholders were. Governor Kirk agreed that the records on the ownership of the corporation should be examined and he wanted to see the list.

Mr. Herbert Benn, Assistant Attorney General, advised that the report furnished to the members of the Legislative hearing held in Clewiston had attached the complete corporate structure, that the list of stockholders had been made available but the matter had been discussed in detail at that hearing, that it would be an unusual and unreasonable cost unless it was absolutely necessary, and it had been decided then that it would be sufficient to know the complete corporate structure. He said that some of those at the hearing were Representatives Lynwood Arnold and Ted Randell and Senator Elmer Friday, among others.

Mr. Apthorp said the counsel obtained for the Trustees in the litigation was Mr. Neil Rutledge of Miami who had attended the pretrial hearing on October 13, 1969, along with members of the Attorney General's staff, and that the trial would begin a week from today.

Mr. Faircloth advised that he had understood that the Board had chosen different counsel and had filed a motion or petition to be discharged as counsel, but that the Court refused to allow the Attorney General to withdraw as representative of the Trustees in the suit. He said they would continue to work until sure that the Trustees were represented; and he assured Mr. Christian, who asked, that his office and Mr. Rutledge would work together in the case.

Mr. Dickinson thanked the Attorney General and Mr. Benn for the reported information, and assured Mr. Faircloth that he was the attorney for the Trustees and had ably represented them.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees approved Report No. 960 listing one regular sale of land in Citrus County under the provisions of Chapter 18296, the Murphy Act, to Eva R. Graham for the highest bid of $50.00.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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10-14-69

Tallahassee, Florida
October 21, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting of October 14, 1969.

DUVAL COUNTY - File No. 2070-16-253.12, To Be Advertised.
C. William Reiney on behalf of Leo C. Burgman and Rowena D. Burgman applied to purchase two contiguous parcels of sovereignty land in the St. Johns River abutting Lot 3, Block 1, Riverside, as recorded in Plat Book 1, Page 109, former public records of Duval County, containing 0.6 acre lying in Township 2 South, Range 26 East, in the City of Jacksonville, Florida, for the purpose of commercial development. Applicants offered $1,620.00 for the parcels. The land was appraised at the rate of $2,700.00 per acre.

The biological report dated September 10, 1969, stated that the area was not a nursery or feeding ground for marine life and its sale and subsequent development should not have significant adverse effects on marine life.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized advertisement of the land for objections only.

LEE COUNTY - File No. 2202-36-253.12 - To Be Advertised.
Earl D. Farr, Jr., on behalf of Sunset Realty, applied to purchase two parcels of sovereignty land containing 0.58 acre in Boca Grande Yacht Basin abutting Lots 17 through 34, Lots 36 through 65, and Lot 74, Block 24, Addition to Boca Grande, Plat Book 8, Page 48, public records of Lee County, lying in Sections 13 and 14, Township 43 South, Range 20 East, Gasparilla Island in Lee County, desired for real estate development of water front lots. Applicant offered $5,597.00 for the land, at the rate of $9,650.00 per acre, appraised value for land bordering in the same subdivision.

The biological survey report was not adverse to development and the Interagency Advisory Committee reaffirmed the bulkhead line location. At the time the application was presented to the Trustees on June 10, 1969, certain information was lacking that would have placed it in the hardship category. Based on new information, the staff was of the opinion that the application came within the hardship provisions of policy adopted July 1, 1969. The applicant had given a complete performance bond to Lee County in the amount of $100,000 to relocate a platted street and construct a bridge related to the overall plan of development. Although the project was within 25%

of completion, due to previous inability to process the application the work had nearly come to a standstill.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized advertisement for objections only.

LEE COUNTY - File No. 2201-36-253.12, To Be Advertised.
Earl D. Farr, Jr., on behalf of Wyman M. Miller, applied to purchase a parcel of sovereignty land in Boca Grande Yacht Basin abutting Lot 35, Block 24 of Addition to Boca Grande, Plat Book 8,, Page 48, public records of Lee County, containing 0.015 acre lying in Section 14, Township 43 South, Range 20 East, Gasparilla Island, Boca Grande, Lee County. This parcel was within the area applied for by Sunset Realty Corp. in the above described application. Applicant offered $144.75 for the small parcel, at the rate of $9,650.00, appraised value for land bordering in the same subdivision.

The biological survey report was not adverse to development and the Interagency Advisory Committee reaffirmed the bulkhead line location.

On June 17, 1969, the staff had recommended deferment because of the Trustees' action related to the Sunset Realty application. In view of the hardship status of said application, it was recommended that Mr. Miller's application be considered in the same category.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized advertisement for objections only.

BAY COUNTY - Dredge Permit for Maintenance Dredging,
Section 253.123 Florida Statutes.
Marathon Oil Company of Panama City, Florida, applied for permit for maintenance dredging 50 ft. wide, 2 ft. deep and 300 ft. long in an existing berthing area at applicant's upland property in Watson Bayou in Section 10, Township 4 South, Range 14 West, Bay County. All material removed would be placed landward of an existing bulkhead. The biological survey report was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit.

BROWARD COUNTY - Dredge Permit, Beach Nourishment,
Section 253.123 Florida Statutes.

The Board of County Commissioners of Broward County applied for permit authorizing removal of one million cubic yards of sand from two borrow areas in the Atlantic Ocean, one located 1,500 yards offshore from N. E. 5th Court in Pompano Beach and the other 1,666 yards offshore from Washingtonia in Lauderdale-by-the-Sea, to be used for restoration and nourishment of a 16,800 ft. beach area as authorized by the Bureau of Beaches and Shores, Department of Natural Resources, Coastal Structure Permit BBS 69-36 approved on September 30, 1969.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit.

BROWARD COUNTY - Dredge Permit, Submarine Cable Crossing,
Section 253.123, File No. 388.
Florida Power and Light Company of Fort Lauderdale, Florida,

applied for permit to install a submarine electric power cable across Port Everglades Inlet in Sections 13 and 24, Township 40 South, Range 42 East, Broward County. The biological survey report indicated no adverse effects to marine biological resources.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that the Trustees approve issuance of the permit.

CITRUS COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Edwin M. Purcell of Crystal River, Florida, applied to dredge a channel adjacent to his upland property in Crystal River in Section 21, Township 18 South, Range 17 East, Citrus County. All material removed from the channel 50 feet wide, 4 feet deep and 500 feet long would be placed on his upland. The biological report indicated no adverse effects to biological marine resources.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the dredge permit.

LAKE COUNTY - Dredge Permit, Section 253.03, Permit No. 119.

Randall B. Whitney of Mount Dora, Florida, tendered check in the amount of $150.00 as payment (at the penalty rate of three times the standard rate) for 200 cubic yards of material removed in excess of the amount authorized under Permit 253.03-119.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees accepted the payment for the overdredged material.

LEE COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Jane Engelhard applied for permit to dredge a navigation channel 30 ft. wide, 5 ft. deep and approximately 650 ft. long in Boca Grande Bayou in Section 14, Township 43 South, Range 20 East, Lee County. Applicant tendered check for $550.00 as payment for the material to be used to fill low areas on upland ownership, and had revised the dredge area to extend only 30 feet beyond the bulkhead line. The Department of Natural Resources biological report had indicated that the original dredge area went 80 to 150 feet beyond the proposed bulkhead line.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the dredge permit for the channel which would provide needed access to open water.

MANATEE COUNTY - Dredge Permits, Submarine Cable Installations, Section 253.123, File Nos. 384 and 385.

General Telephone Company of Florida at Sarasota, Florida, applied for permits to install a submarine cable crossing (1) Palma Sola Bay adjacent to Manatee Avenue at Bradenton in Section 25, Township 34 South, Range 16 East, and (2) Sarasota Pass adjacent to Manatee Avenue at Bradenton in Sections 27 and 28, Township 34 South, Range 16 East, Manatee County. The biological reports were not adverse.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted, that dredge permits for the two cables be approved.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

William J. Klys applied for permit to dredge a navigation channel 50 ft. wide, 5 ft. deep and 450 ft. long in Section 23, Township 63 South, Range 37 East, in the Atlantic Ocean, Monroe County. Also he proposed to dredge a boat basin 100 ft. long, 60 ft. wide and 15 ft. deep entirely within his submerged land ownership. The material to be removed would be placed on applicant-owned submerged land.

The biological report stated that the area was a nursery area and feeding ground. Staff recommended approval because the channel would provide needed access to open water and applicant had altered his plan to comply with the Trustees' staff recommendations.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the application as recommended by the staff.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

Howard M. Jackson applied for a permit to dredge a navigation channel 50 ft. wide, 5 ft. deep and 460 ft. long in the Atlantic Ocean in Section 23, Township 63 South, Range 37 East, at Windley Key, Monroe County. Applicant had altered his plan to comply with the recommendations of the Trustees' staff. Removed material would be placed on applicant-owned submerged land.

The Department of Natural Resources biological report indicated that the project area was nursery and feeding grounds.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the application which would provide access to the open water.

MONROE COUNTY - Dredge Permit and Temporary Dredging Easement, Section 253.03 Florida Statutes.

The Department of Transportation requested a permit and alternate dredging area of 0.62 acre of sovereignty land in Florida Bay abutting Section 27, Township 66 South, Range 30 East, Monroe County, required for fill material in connection with construction of the new Bahia Honda Bridge.

The Department of Natural Resources biological report endorsed the location, and the Bureau of Beaches and Shores reviewed the site and offered no objection.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of temporary easement and dredge permit contingent upon the Department of Transportation quitclaiming a 16.5 acre site in the Straits of Florida adjacent to Section 34, Township 66 South, Range 30 East, granted by Trustees Instrument No. 2369-A, as recommended by the staff.

OKALOOSA COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Col. John T. Carley of Fort Benning, Georgia, requested permit for maintenance dredging to remove silt in the area of an existing boat house in Bayou Paquita adjacent to applicant's upland in Section 31, Township 1 South, Range 23 West, Okaloosa County. The material removed would be used to refurbish the shoreline damaged by recent Hurricane Camille. The biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the dredge permit.

OSCEOLA COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

Central and Southern Florida Flood Control District on behalf of the Board of County Commissioners of Osceola County applied for permission to dredge a boat basin and navigation channel in Section 29, Township 27 South, Range 29 East, Lake Tohopekaliga, Osceola County, in connection with Southport Park Recreation Area. Material to be removed would be placed on applicant's upland. Staff requested waiver of the biological report as provided for in Section 253.123 (3)(a) Florida Statutes.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit without requirement of biological report.

POLK COUNTY - Dredge Permit, To Improve Navigation, Section 253.03 Florida Statutes.

James Jakse of Winter Haven, Florida, applied for permit authorizing the dredging of a navigation channel 50 ft. wide by 5 ft. deep adjoining his upland property on Lake Hartridge in Section 8, Township 28 South, Range 26 East, Polk County. He tendered check for $50 as minimum payment for the material to be removed.

The Game and Fresh Water Fish Commission recommended reduction of the top width of the canal to 40 feet.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of dredge permit subject to canal top width being reduced to 40 ft., and usual stipulations as to dredging.

PALM BEACH COUNTY - Fill Permit, Section 253.124 Florida Statutes, File No. 24981 (1991-50)

DiVosta Rentals, Inc., represented by Brockway, Owen and Anderson Engineers, Inc., had applied for a permit to fill the 0.614 acre parcel of sovereignty land in Lake Worth abutting Section 27, Township 43 South, Range 43 East, in the City of West Palm Beach landward of the established bulkhead line, sale of which was approved by the Trustees on May 13, 1969. Consideration of fill permit application was deferred on September 16 and 30 and was placed on the agenda on this date at the request of James E. Weber, attorney for the applicant.

Motion was made by Mr. Williams that the application be denied. The Director advised that Mr.Weber would like to be heard on behalf of the applicant. Assistant Attorney General Herbert Benn and two other objectors wished to be heard, also.

Mr. Apthorp said the staff had not changed their recommendation for approval of the permit as explained to the Board on two previous occasions, that the permit was approved by the City of West Palm Beach and no notice had been received of any change by the city. The biological report was not adverse and the Area Planning Board had registered no objections. He advised that the staff had received twelve objections, placed in the file. Governor Kirk suggested that the one-foot ownerships along Flagler Drive should be bought up. Mr. Benn said the local authorities had been requested to do that, that there were agencies and monies under a program to preserve open spaces and aesthetic values, but there had not been time.

Mr. Robert T. Bair, of the Audubon Society of the Everglades and the Federated Conservation Council, opposed to the fill permit, read from a news clipping concerning Flagler Drive and told of meetings held with reference to the monies available under the federal program and state recreation funds, need to relieve and not increase traffic by building apartments in the area, and request made to the Area Planning Board for reconsideration of the proposed filling by the applicant, DiVosta Rentals, Inc.

Mr. John Roscoe expressed the objections of the First Church of Christ, Scientist, to the application to fill and urged that the view of Lake Worth be preserved.

Governor Kirk had received about forty-eight telegrams objecting to the filling. Mr. Benn had received many telegrams, also, and petitions signed by about five hundred residents of Palm Beach County. Mr. Benn said that the local authorities were expected to reconsider the application, and he called attention to legal aspects, that the Trustees had no mandate to sell or to issue dredge and fill permits, that the Board might have to defend the case in court.

The Director mentioned an objection from Mr. C. Richard Tillis, a director of the Federated Conservation Council, with recommendations including refusal of the permit, rescinding the sale in the public interest, and zoning change by the county to aesthetic and recreational.

Representing the applicant, Mr. James E. Weber pointed out that the city actually had encouraged filling in that area which was not an aesthetic situation but contained debris and stagnant water (photos exhibited), explained that the bulkhead line was set for the church fill in place but beyond that had been brought in to shore and would allow no extensive apartment building, that zoning was within the jurisdiction of the city, that there was no view of the lake from the road at that point at the present time, that property owners in 1924 had granted right of way easements for the widening of the road.

Motion was made by Mr. Williams, seconded by Mr. Faircloth, that the application for fill permit be denied. Mr. Christian said the Board should go further to be fair to the owner, that the land could be reclaimed for a public park.

Mr. Williams accepted the suggestion and rephrased his motion to include denial of the permit and that the Director be asked to negotiate with the owner for repurchase with the idea of filling and use as a public park. The motion was adopted without objection.

STATE COMMERCIAL DOCK PERMITS - Bay, Brevard, Dade and Monroe Counties, Section 253.03 F. S.

1. Bay County - Charles F. and Jacqueline Waddell applied for permit for a marine railway facility in Watson Bayou in Section 10, Township 4 South, Range 14 West, for which all required exhibits including $100 processing fee were furnished.
2. Brevard County - Frank C. Youles, Jr., applied for permit for a dock in the Indian River in Section 2, Township 28 South, Range 37 East, for which all exhibits and $100 fee were furnished.
3. Dade County - The University of Miami applied for a permit for construction of a commercial dock, a corrosion testing facility, in the Atlantic Ocean in Section 10, Township 54 South, Range 42 East, for which all exhibits and $100 fee were furnished.
4. Monroe County - SeaFarms, Inc., applied for a permit for a commercial pier in Key West Bight in Section 21, Township 67 South, Range 25 East, Monroe County, for which all exhibits

and $100 processing fee were furnished.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of state commercial dock permits to the above four applicants.

AQUATIC PRESERVES - The Interagency Advisory Committee on Submerged Land Management in Report No. 2 dated November 12, 1968, proposed a system of aquatic preserves and designated twenty-six areas susceptible of preservation in the estuarine areas of the State of Florida. The Committee prepared a basic draft resolution which, if adopted by the Trustees, would set in motion a statewide system of aquatic preserves as a means of protecting and preserving in perpetuity certain specially selected areas of state-owned land in accordance with management policies and criteria set out in the resolution.

Mr. Apthorp reviewed the procedure that had been followed, the study of the biological, ecological and aesthetic condition of areas, the public hearings held in eight locations throughout the state in February, March and April under the direction of the then Director of the Trustees, Senator Randolph Hodges, who is the chairman of the Interagency Advisory Committee. He said Senator Hodges would share the presentation today and would tell the results of the public hearings.

Mr. Apthorp explained that the staff felt that after adoption of the basic or concept resolution, execution of the individual resolutions with descriptions of particular preserve areas could proceed without further action as the legal descriptions become available for inclusion in the resolutions. One specific area resolution was presented for Aquatic Preserve A-2 and A-3, the Nassau Marsh and Little Talbot Island preserve in Nassau and Duval Counties.

Secretary of State Tom Adams said there appeared to be some misunderstanding as to what the Board was doing today which did relate only to state-owned land, and provisions of the concept resolution were read. Mr. Hodges said several thousands of copies of Report No. 2 had been distributed and the hearings had been publicized, that several hundreds had attended in most of the cities where the hearings were held. It was pointed out that establishment of a preserve would preclude sale and filling but not lawful and traditional public uses. Mr. Hodges mentioned objections received in some areas, particularly that Grand Lagoon be excluded from the proposed G-4 preserve, and that additional hearings had been requested but he had told them that they should make their wishes known before the Trustees. There was widespread approval of the preserve concept, he informed the Board.

Governor Kirk said the Board should proceed to take action on state-owned lands that would be forever identified as aquatic preserves under jurisdiction of the Trustees. Mr. Williams suggested that they consider those areas where there were no problems and the others might be held for two weeks. Mr. Conner said he would vote for the concept resolution.

Mr. Adams made a motion that the concept and management policy resolution be approved for execution which would set in motion action on specific aquatic preserve resolutions, with the understanding that any member of the Board might call for placing on the agenda for a hearing any particular resolution involving an area where objections had been received for consideration of possible alterations in the boundaries. Mr. Christian seconded the motion which was adopted. Copy of the resolution is attached and made a part of these minutes.

The Director was then requested to proceed with the specific aquatic preserves and with maps and brief descriptions of the areas he presented the following preserves as proposed and recommended by the Interagency Advisory Committee on Submerged Lands. Without objection the Trustees approved the establishment of the following aquatic preserves:

1. Fort Clinch State Park (Nassau County), identified on the map as A-1
2. Nassau Marsh and Little Talbot Island (the marsh in Nassau and Duval Counties and the island in Duval County), combining the preserves identified on the map as A-2 and A-3
3. Pellicer Creek (St. Johns and Flagler Counties), identified on the map as A-4
4. Tomoka Marsh (Flagler and Volusia Counties), identified on the map as A-5
5. Mosquito Lagoon (Volusia and Brevard Counties), identified on the map as A-6
6. Banana River (Brevard County), shown on the map as A-7
7. Indian River - Malabar to Sebastian (Brevard County), shown as A-8 on the map
8. Intracoastal Waters - Jensen Beach to Jupiter Inlet (Martin and Palm Beach Counties), shown on the map as A-10
9. Loxahatchee River - Lake Worth Creek (Martin and Palm Beach Counties), shown on the map as A-11
10. Biscayne Bay - Cape Florida to South County Line (Dade County), shown on the map as A-12
11. Fort Pickens State Park (Escambia and Santa Rosa Counties), shown on the map as G-1
12. Yellow River Marsh (Santa Rosa County), shown as G-2 on the map
13. Rocky Bayou State Park (Okaloosa County), shown as G-3 on the map
14. St. Andrews State Park (Bay County), shown as G-4 on the map, but in this case because of numerous objections mainly to the inclusion of Grand Lagoon in the preserve, part of the area (included not for biological reasons but as a buffer for the state park) was excluded from the aquatic preserve boundaries.

    Objectors to the original boundaries included Senator Dempsey J. Barron, Joe Chapman, Wilford Crary, Pete Edwards, Tom Sales, Congressman Bob Sikes who wired request for careful consideration before action, and Representative John R. Middlemas who only questioned the type of structures, channels and maintenance work that might be allowed.

    On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved establishment of the G-4 preserve with boundaries set in accordance with the Director's recommendation to eliminate everything northerly of St. Andrews State Park and westerly of the ship channel.

15. Alligator Harbor (Franklin County), shown on the map as G-7, was approved. However questions or objections were expressed by Jim McNeill who lived in Indian Pass and by Tom Coldeway representing St. Joe Paper Company, owner of upland along many miles of the shoreline.

16. Caladesi Island (Pinellas County) shown as G-9.

Legislative Act 69-342 had established Boca Ciega Bay in Pinellas County as a preserve. Therefore no action was taken on this area, G-10.

Trustees deferred action on A-9, G-6, G-8, G-11, G-12, G-13 and G-14 for further review and study by the staff in conference with the objectors to determine if there were valid reasons for changing some of the boundaries of those preserves.

Mr. Perry Odom of Tallahassee, Attorney representing Gulf American Corporation, urged deferment of action on all of the aquatic preserves for the reason that the firm had not known that specific areas were to be established on this date in time to be present; he did not know all the areas in which his client might be owners, but wanted to register objections in any of those areas in which Gulf American might be involved - which he could not now specify. The Director said that one problem area was Pine Island, G-13.

Mr. Christian made a motion, then withdrew it, that additional hearings be held on those areas where there were questions and objections. Governor Kirk said there should be no further public hearings with advertised notices, that the Trustees would hear the additional discussion or objections on the deferred areas.

The following persons objected to establishment of certain areas as aquatic preserves and requested further hearings or that they have opportunity to work with the staff to try to resolve the problems:

William J. Rich, County Attorney of Gulf County
Senator George G. Tapper
Fred Parker, as attorney for Pick Hollinger
Mayor of Port St. Joe
R. H. Elzie, Chamber of Commerce of Port St. Joe

With respect to the above objectors to area G-5, motion was made by Mr. Christian, seconded by Mr. Williams and Mr. Conner, and adopted, that action be deferred on that preserve.

Mayor James S. Daley for the City of Apalachicola
Senator W. E. Bishop (objections by letters)
James T. McNeill

With respect to the above objectors to Area G-6, motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that action be deferred.

Ralph Rooks
Judge James E. Conner
Ed Martin

With respect to the above objectors to Area G-8, motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that action be deferred.

Vincent J. Honc represented Lee County Conservation Association with reference to areas G-11, G-12, but not in objection.

Bruce J. Scott, Lee County Commission
F. Perry Odom for Gulf American Corporation

Because of objections and acknowledged problems of ownership and location of mean high water line, the Trustees deferred action on areas G-11, G-12, G-13 and G-14 on the motion made by Mr. Christian, seconded by Mr. Faircloth and Mr. Williams.

Arthur Hemphill, representing Organized Fishermen of Florida, said his group would probably oppose any major change in the boundaries that had been proposed and would like to be represented when changes were discussed.

DUVAL COUNTY - Swamp Lands. Staff requested that approximately 160 acres of unsurveyed marsh lands lying in the E½ of Section 33, Township 2 North, Range 27 East, Duval County, be withdrawn from sale and that the Interagency Advisory Committee determine whether or not the lands were suitable for inclusion in the proposed Nassau River Marsh Aquatic Preserve. On motion by Mr.Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the staff request. On motion by Mr. Adams, seconded by Mr. Faircloth, the Trustees received for the record the following report of income to the Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 9,473.91
1788	Benton & Company, Inc.	17,544.34
2233	Bay Dredging & Construction Company	5,492.32

Mr. Adams mentioned that at one time shell lease holders were in arrears and asked if auditing was correctly done on the dredging of oyster shell. Senator Randolph Hodges advised that Benton and Company was in arrears, was making current payments and an arrangement had been worked out by the new management to make payments on the amount owed. He would present a report for approval of the Trustees within the next week.

TRUSTEES FUNDS - On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees designated an amount not to exceed $25,000.00 for renovation of the unoccupied state-owned building located behind the offices of the Division of Youth Services in the Capitol Center.

With the approval of the Secretary of Administration, the designation would encumber monies already released for Capitol Center Land Acquisition.

MONROE COUNTY - File No. 2242-44-253.12, Refund. Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the staff be authorized to refund $50.00 of the application fee and deactivate the purchase application by George A. James who had requested withdrawal of his application in view of the adverse biological report submitted by the Department of Natural Resources on August 15, 1969.

TRUSTEES FUNDS - State School Trust Fund. On October 9, 1969, the Trustees discussed and referred to the Attorney General for an opinion the questions pertaining to payments to the State School Trust Fund.

Mr. Apthorp advised that an opinion from the Attorney General (069-90) had been received to the effect that payments to the school fund should be twenty-five per cent of the proceeds from sale of all state lands, and the staff would be governed thereby. Mr. Christian said he was happy at that decision.

DADE COUNTY - Aerojet-General Lease-Option to Purchase.
At the direction of the Trustees on October 14, 1969, the Aerojet-General Corporation Lease-Option to Purchase was scheduled on this date to allow the lessee an opportunity to be heard. Both Trustees and State Board of Education land was included in the ten-year lease with option to purchase No. 1640-1640-S issued in 1961 covering a

tract of 25,313 acres of land in southwest Dade County. The Director said Mr. Elmer Nelson wished to be heard.

Motion was made by Mr. Faircloth that the application (to exercise the option to purchase) be denied. Mr. Williams seconded the motion.

The Governor asked if that was the staff recommendation, to which Mr. Apthorp replied that the staff had reviewed the contract and felt it was a binding contract, that the advice of the Attorney General was different and he (the Attorney General) had recommended that the lease-option be cancelled.

Mr. Nelson said he was manager of Aerojet-General Space Booster Plant, had represented the company in the plant site search, negotiations with the state that resulted in the contract, during construction, activation and production involving an investment of about $20,200,000.00 and also other expenses including payment of taxes to Dade County on the land, that they had complied with every condition of the contract and still had confidence in the solid rocket fuel program. But due to the turn toward liquid propellant fuel, employment had been cut to fourteen, a custodial operation at present.

Governor Kirk said he was working to reactivate the solid fuel program for the state and indicated that he doubted that the company would turn away from an investment of that size. Mr. Nelson said the company believed such an investment was justified since it was based on the document from the State of Florida.

Mr. Conner said he was concerned about the integrity of the State of Florida, that everyone should live up to commitments, that perhaps the company had not had sufficient time to prove the worth of solid fuel. Having been on the board in 1961, he thought they had attempted to assist the company and he was not concerned about whether it was a bad deal or not but whether the lessee had performed.

Mr. Williams emphasized the discrepancy in expectations as to employment, which would have given the area an economic boost but to the contrary was now just a custodial operation.

Mr. Nelson said the news media had been cautioned from the beginning that the reported employment had been overly optimistic, and the land value had been highly exaggerated. They had no intention, he said, to sell the land but to hold it for the original proposition for which it had been set aside.

Mr. George W. Wright, Jr., attorney representing Aerojet-General Corporation, had submitted a memorandum to the members disagreeing with the position of the Attorney General, citing among other things that Aerojet-General had a valid lease and option to purchase, had never been informed that they had defaulted, and he urged the Trustees and the Board of Education to act in accordance with the contract executed in good faith.

Mr. Christian was concerned at any question of integrity of this or previous boards and also at violations which the Attorney General said had happened. He suggested asking the court for a declaratory decree to determine if the lease-option was a legal binding instrument.

Mr. Adams noted the obvious legal questions, but as a member of the Board of Education in 1961 he thought a vast new industry was proposed that somehow had not developed, and he was not willing to sell valuable land for other purposes and felt that the original

intent of the agreement was not being carried out. Mr. Adams said he did not propose a substitute motion but he thought the original intent would be better protected with an extension of the lease rather than sale, as that might assist the solid fuel program. Mr. Conner said he would support an extension of the lease, he would like to see the company perform, but he would vote against sale.

Mr. Faircloth said the option was incidental to the lease, that the lease is in default for non-performance, and he made a motion that it be declared void. Those voting for the motion were Messrs. Williams, Conner and Adams. Governor Kirk voted "No." The motion carried four to one.

Mr. Christian did not vote as he had desired to offer a motion to ask for a declaratory decree from the court.

On motion by Mr. Christian, duly adopted, the action was recorded and accepted as the minutes for the State Board of Education on this matter.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

RESOLUTION

WHEREAS, the State of Florida, by virtue of its sovereignty, is the owner of the beds of all navigable waters, salt and fresh, lying within its territory, with certain minor exceptions, and is also the owner of certain other lands derived from various sources; and

WHEREAS, title to these sovereignty and certain other lands has been vested by the Florida Legislature in the State of Florida Board of Trustees of the Internal Improvement Trust Fund, to be held, protected and managed for the long-range benefit of the people of Florida; and

WHEREAS, the State of Florida Board of Trustees of the Internal Improvement Trust Fund, as a part of its overall management program for Florida's state-owned lands, does desire to insure the perpetual protection, preservation and public enjoyment of certain specific areas of exceptional quality and value by setting aside forever these certain areas as aquatic preserves or sanctuaries; and

WHEREAS, the ad hoc Florida Inter-Agency Advisory Committee on Submerged Land Management has selected through careful study and deliberation a number of specific areas of state-owned land having exceptional biological, aesthetic and scientific value, and has recommended to the State of Florida Board of Trustees of the Internal Improvement Trust Fund that these selected areas be officially recognized and established as the initial elements of a statewide system of aquatic preserves for Florida;

NOW, THEREFORE, BE IT RESOLVED by the State of Florida Board of Trustees of the Internal Improvement Trust Fund:

THAT it does hereby establish a statewide system of aquatic preserves as a means of protecting and preserving in perpetuity certain specially selected areas of state-owned land; and

THAT specifically described, individual areas of state-owned land may from time to time be established as aquatic preserves and included in the statewide system of aquatic preserves by separate resolution of the State of Florida Board of Trustees of the Internal Improvement Trust Fund; and

THAT the statewide system of aquatic preserves and all individual aquatic preserves established thereunder shall be administered and managed, either by the said State of Florida Board of Trustees of the Internal Improvement Trust Fund or its designee as may be specifically provided for in the establishing resolution for each individual aquatic preserve, in accordance with the following management policies and criteria:

(1) An aquatic preserve is intended to set aside an exceptional area of state-owned land and its associated waters for preservation essentially in their natural or existing condition by reasonable regulation of all human activity which might have an effect on the area.

(2) An aquatic preserve shall include only lands or water bottoms owned by the State of Florida, and such private lands or water bottoms as may be specifically authorized for inclusion by appropriate instrument from the owner. Any included lands or water bottoms to which a private ownership chaim might subsequently be proved shall upon adjudication of private ownership be automatically excluded from the preserve, although such exclusion shall not preclude the State from attempting to negotiate an arrangement with the owner by which such lands or water bottoms might be again included within the preserve.

(3) No alteration of physical conditions within an aquatic preserve shall be permitted except: (a) minimum dredging and spoiling for authorized public navigation projects, or (b) other approved activity designed to enhance the quality or utility of the preserve itself. It is inherent in the concept of the aquatic preserve that, other than as contemplated above, there be: no dredging and filling to create land, no drilling of oil wells or excavation for shell or minerals, and no erection of structures on stilts or otherwise unless associated with authorized activity, within the confines of a preserve - to the extent these activities can be lawfully prevented.

(4) Specifically, there shall be no bulkhead lines set within an aquatic preserve. When the boundary of a preserve is intended to be the line of mean high water along a particular shoreline, any bulkhead line subsequently set for that shoreline will also be at the line of mean high water.

(5) All human activity within an aquatic preserve shall be subject to reasonable rules and regulations promulgated and enforced by the State of Florida Board of Trustees of the Internal Improvement Trust Fund and/or any other specifically designated managing agency. Such rules and regulations shall not interfere unduly with lawful and traditional public uses ofthe area, such as fishing (both sport and commercial), hunting, boating,

swimming and the like.

(6) Neither the establishment nor the management of an aquatic preserve shall infringe upon the lawful and traditional riparian rights of private property owners adjacent to a preserve. In furtherance of these rights, reasonable improvement for ingress and egress, mosquito control, shore protection and similar purposes may be permitted by the State of Florida Board of Trustees of the Internal Improvement Trust Fund and other jurisdictional agencies, after review and formal concurrence by any specifically designated managing agency for the preserve in question.

(7) Other uses of an aquatic preserve, or human activity within a preserve, although not originally contemplated, may be permitted by the State of Florida Board of Trustees of the Internal Improvement Trust Fund and other jurisdictional agencies, but only after a formal finding of compatibility made by the said Trustees on the advice of any specifically designated managing agency for the preserve in question.

IN TESTIMONY WHEREOF, the Trustees for and on behalf of the State of Florida Board of Trustees of the Internal Improvement Trust Fund have hereunto subscribed their names and have caused the official seal of said State of Florida Board of Trustees of the Internal Improvement Trust Fund to be hereunto affixed, in the City of Tallahassee, Florida, on this the 24th day of November A. D. 1969.

CLAUDE R. KIRK, JR. (s)
Governor

TOM ADAMS (s)
Secretary of State

EARL FAIRCLOTH (s)
Attorney General

FRED O. DICKINSON, JR. (s)
Comptroller

BROWARD WILLIAMS (s)
Treasurer

(SEAL)
State of Florida Board of Trustees of the Internal Improvement Trust Fund

FLOYD T. CHRISTIAN (s)
Commissioner of Education

DOYLE CONNER (s)
Commissioner of Agriculture

As and Constituting the State of Florida Board of Trustees of the Internal Improvement Trust Fund

* * * * * * * * *

10-21-69

Tallahassee, Florida
October 28, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting of October 21, 1969.

It was decided that there would be no meeting on November 11, but that the Board would meet on the Tuesday following that date. It is noted in the minutes for the reason that the Advance Agenda attached to the October 28th minutes had shown a Collier County bulkhead line and application to purchase scheduled for November 11th which will be scheduled for November 18th instead.

BREVARD COUNTY - Bulkhead Line Revisions, Section 253.122 Florida Statutes.

The staff recommended approval of three revised bulkhead lines established by the Board of County Commissioners of Brevard County described below, for which all required exhibits were furnished and there were no objections at the local hearing.

1. The Board of County Commissioners of Brevard County on August 15, 1958, by resolution relocated a bulkhead line in Sebastian Inlet in Section 20, Township 30 South, Range 39 East, Brevard County. The biological report showed that the submerged land was sandy, unvegetated, and not considered valuable for commercial or sport fishing.

2. The Board of County Commissioners of Brevard County by resolution adopted on September 4, 1969, relocated a bulkhead line at the mean high water line (elevation +0.4 ft. MSL) at Horti Point in Sections 17, 18, 19 and 20, Township 25 South, Range 37 East, Brevard County. The line was relocated at the recommendation of Interagency Advisory Committee Report No. 1.

3. The Board of County Commissioners of Brevard County by resolution adopted July 3, 1969, relocated bulkhead lines in the Indian River at the mean high water line (elevation +0.4 feet MSL), excepting therefrom submerged lands previously sold and submerged lands having a valid fill permit effective this date. The relocation was for the south Brevard County area and was in accordance with recommendations of Interagency Advisory Committee Report No. 1.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and Mr. Adams, and adopted, that the Trustees approve the three bulkhead lines as relocated by the Board of County Commissioners.

DADE COUNTY - City of Islandia, Biscayne National Monument. Pursuant to authorization of the Trustees on October 14, 1969, the following fourteen (14) owners of land lying within the Biscayne National Monument had been notified that their applications would be deactivated and application fees refunded. The staff received no objections.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the following files be deactivated and that application fees of the following applicants be refunded:

File Number	Applicant
1237-13-253.12	Annabel H. Smith
1296-13-253.12	Juanita A. Gosser
1299-13-253.12	Esther T.Shocksnider
1397-13-253.12	William H. Krome, et al
1454-13-253.12	Henry R. Bicknell, et ux
1455-13-253.12	Henry R. Bicknell, et ux
1534-13-253.12	Howard M. Bouterse
1567-13-253.12	Malcolm G. MacNeill
1663-13-253.12	James M. Feaster
1736-13-253.12	John F. Michel
1761-13-253.12	C. B. Kniskern, Jr.
1765-13-253.12	Armando Garcia, et ux
1886-13-253.12	J. S. W. Davis, et ux
1896-13-253.12	John R. Brons, et ux

MONROE COUNTY - File No. 2124-44-253.12, To Be Advertised. Application from Charles D. Riggs, et ux, for purchase of a parcel of sovereignty land abutting fractional Section 19, Township 63 South, Range 38 East, 1.78 acres at Plantation Key, Monroe County, was scheduled for presentation this date. However, the staff was unable to contact the applicant regarding modification of the application and recommendation for denial.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, consideration was deferred until November 4, 1969, to allow ample time to notify the applicant.

MANATEE COUNTY - File No. 2257-41-253.03, Dedication. The City of Palmetto by resolution adopted August 4, 1969, requested dedication of 11.84 acres of sovereignty land in Manatee River abutting Section 23, Township 34 South, Range 17 East, Manatee County, for a period of thirty years. The area was originally dedicated under Instrument No. 23100 and 23100A. Authority was requested to issue dedication containing public purpose and non-use reverter covenant.

On September 9th the Board authorized advertisement for objections only and at the time the agenda was prepared no objection had been received. Subsequently two objections were filed and the Director said he would like delay of a week to give him an opportunity to discuss the application with representatives from the city who were present on this date but had not contacted him.

Mr. Christian had received calls asking the purpose for which the city would use the land. He suggested the matter be brought back to the Board when the Director had that information.

Mr. Harlee, attorney representing several objectors, requested postponement as he thought the objections might be worked out. Mr. J. R.

Blue, City Attorney, said that the submerged land was already dedicated at one time, that the city had asked for rededication to set out in the instrument more specifically the uses to which the land might be put.

Motion was made by Mr. Dickinson, seconded by Mr. Adams and adopted, that the matter be deferred for thirty days.

MONROE COUNTY - Disclaimer.

Robert E. Livingston requested an instrument to clear title to a parcel of filled sovereignty land containing 0.018 acre on Maloney Key abutting Section 30, Township 64 South, Range 36 East, Monroe County. The land was included in a dedication dated June 20, 1951, by the Trustees to the Florida Board of Parks, was released from the dedication by resolution of the Florida Board of Parks and Historic Memorials on May 16, 1955, was subsequently conveyed by the Trustees on August 10, 1955, by Deed No. 20992, however the resolution releasing the land from said dedication was lost and was never placed in the public records of Monroe County.

Applicant had also requested appropriate action by the Department of Natural Resources and the staff advised that it was expected to be placed on that agenda for action, also.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of ex parte disclaimer upon receipt of $100.00 processing fee.

MARTIN COUNTY - File No. 2264-43-253.03, Right of Way Easement.
The Florida Department of Transportation requested easement for right of way for State Road No. 714, Parcel No. 108.1R, Section 89090-2503, covering 0.14 acre of bottom land of Poppleton Creek in Section 8, Township 38 South, Range 41 East, Martin County. No dredging or filling was contemplated.

The Department of Natural Resources reviewed the application and had no objections.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees granted the request for right of way easement.

BROWARD COUNTY - Dredge Permit, to Improve Navigation, Section 253.123, File 387.
R. E. Bateman applied for a permit authorizing the dredging of an area 40 feet wide by 60 feet long in front of his dock in Section 20, Township 48 South, Range 43 East, Broward County. He tendered check for $50.00 as minimum payment for material to be removed and placed on upland property.

The Department of Natural Resources biological survey report indicated no adverse effects.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, To Improve Navigation, Section 253.03, File 136.
M. Lewis Hall applied for permit to dredge a standard navigation channel 5 feet by 50 feet by 2,000 feet in the Atlantic Ocean in Section 15, Township 64 South, Range 36 East, Monroe County.

The Department of Natural Resources biological survey report was not adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dredge permit.

LEE COUNTY - Fill Permit, Section 253.124, File 100.
Joel G. Niper tendered check in the amount of $300.00 as payment for after-the-fact fill permit for a dredging operation at Lots 12, 13, 14, Block A, River's Edge Subdivision, Caloosahatchee River, City of Fort Myers, Florida. Staff recommended acceptance of the payment at the penalty rate.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the application for after-the-fact fill permit and accepted the payment of $300.00.

PINELLAS COUNTY - Dredge Permit, To Improve Uplands, Section 253.123, Florida Statutes.
East Madeira Corporation applied for permission to dredge on submerged land the firm owned in Section 2, Township 31 South, Range 15 East, Pinellas County. In addition, applicant requested 4,000 cubic yards of material to be removed from sovereignty land and tendered check in the amount of $400.00 as payment.

The Department of Natural Resources biological report was not adverse, and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved the dredge permit and accepted payment for the material requested.

MARTIN COUNTY - Dock Permit, Section 253.03 Florida Statutes.
The Division of Parks and Recreation of the Department of Natural Resources applied for permission to construct a commercial dock for Jonathan Dickinson State Park in Loxahatchee River in Section 16, Township 40 South, Range 42 East, Martin County. All required exhibits were furnished, but the Division requested waiver of the $100 processing fee since the general public would be served.

Motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted, that the state commercial dock permit be issued without charge for Jonathan Dickinson State Park.

AQUATIC PRESERVES. On October 21, 1969, the Trustees deferred action on a number of the aquatic preserves recommended by the Interagency Advisory Committee pending further study by the staff in conference with objectors to determine the validity of the protests to establishment of preserve boundaries as proposed.

Mr. Apthorp said he was prepared to present further recommendations and there were some present who wished to be heard by the Board. He distributed to the members copies of the policy resolution and the one individual aquatic preserve resolution that were approved last week.

1. A-9 or Indian River - Vero Beach to Fort Pierce (Indian River and St. Lucie Counties) aquatic preserve was brought up first.

Secretary of State Tom Adams said he had asked that this preserve be held in abeyance, that the Town of St. Lucie Village immediately

north of Palm Beach wanted to be included in the preserve. Also, he described the area (including a navigation channel which had been originally dredged for a sand shipping operation) that had been purchased by Ed Link for location of scientific oceanographic activities. The oceanographic work should be taken into account, he said.

To accomplish both things, Mr. Adams made a motion that Aquatic Preserve A-9 be approved with the boundaries amended to include the Town of St. Lucie Village and with the provision that the Trustees would accept a reasonable program for the area acquired for the scientific oceanographic activities as described. Motion was seconded by Mr. Christian and adopted.

2. G-14, Cape Romano - Ten Thousand Islands (Collier County).
The Director advised that the objections by Gulf American had been withdrawn as to this area.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees approved the establishment of this aquatic preserve, designated as G-14 on the map.

3. Supplemental Aquatic Preserve, Rookery Bay (Collier County).
Rookery Bay aquatic preserve was recommended by the Interagency Advisory Committee after submission of Report No. 2, in connection with the Rookery Bay Conservancy project. Mr. Apthorp said it had been overlooked last week, and recommended approval.

On motion duly adopted, the Trustees approved establishment of Rookery Bay Aquatic Preserve.

4. G-13, Pine Island Sound (Lee County).
The Director recommended approval, and advised that Gulf American had removed objections.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that the Trustees approve establishment of Pine Island Sound Aquatic Preserve designated as G-13 on the map.

Mr. Charles Edwards, an attorney from Fort Myers, Florida, on behalf of several small ownerships in G-11, G-12 and G-13, objected to the preserves until accurate legal descriptions of the boundaries were available. He said the Trustees had received copies of a resolution from the Board of County Commissioners of Lee County requesting postponement and another public hearing with descriptions available so it could be determined what land was included, that at the public hearing in March and by six written requests to the Trustees and the Board of Conservation they had requested to be notified of any further proceedings, that they did not object to the concept of aquatic preserves and realized that only state-owned land was intended to be included - but the burden of proof was on the private owners who felt their title would be clouded. Mr. Edwards said there was a virtual moratorium in Lee County now, anyway, and requested postponement for those small owners as the Board had granted for the Gulf American interests.

Mr. Dickinson said the objection was to the erroneous inclusion of private land within the boundaries, that problems could be created for the private land owners, and that small ownerships could not afford law suits to quiet title.

Mr. Martin Northrup representing Florida Audubon Society, pointed out that public hearings had been held by Senator Randolph Hodges on all proposed preserves, that objections should have been presented

at that time and it might be unfair to permit certain special interests to be heard at great length at this time.

The Director pointed out that almost every paragraph of the resolutions mentioned state-owned land. He assured the Governor and the other members that the staff was always willing to go over property line descriptions with private owners.

Mr. Adams said the determination between private and state-owned land would have to be made at some time, that the resolution states that they were trying to jeopardize no private property rights.

Approval of G-13 stood.

5. G-12, Matlacha Pass (Lee County).
Mr. Richard DeBoest, the regular counsel for Gulf American Corporation, said that firm was in favor of the concept of preserves and wished to have included about 4,800 acres of land which they bought in 1961 at a cost of some one million dollars. However, with regard to certain areas along Matlacha Pass and as to access to the open waters for about 50,000 acres of Cape Coral, he asked for additional time to work out the details of a proposal considered by the Trustees on May 20, 1969. Mr. Apthorp said problems of overfill and land exchange were involved, that two surveying teams had been hired by the staff. He had written out a suggestion which Mr. DeBoest said was agreeable. (Quoted below)

Motion was made by Mr. Adams, seconded by Mr. Christian and adopted, that G-12 aquatic preserve be approved with this understanding: "The eastern boundary of the Matlacha Pass aquatic preserve borders land owned by General Acceptance Corporation. This area has been the center of much controversy related to the establishment of bulkhead lines and, in fact, no lines exist in the area. By the same token, no sales of submerged lands have been made. As soon as matters in the Caloosahatchee River have been resolved, we will enter into discussions with GAC concerning the property line between public and private ownership. These discussions may result in the exchange of instruments with GAC to firmly establish the boundary of the preserve."

6. G-6, Apalachicola Bay (Franklin and Gulf Counties) was taken up next.
Mr. Apthorp had conferred with Mayor James S. Daley of Apalachicola and with Mr. Jim McNeill, and certain changes in the boundaries appeared to be acceptable although the city had taken no official action.

The exclusion of Indian Lagoon was questioned by Mr. and Mrs. George Yost. It was explained, and the need to dredge to remove silt from productive oyster areas where Mr. McNeill conducted commercial fishing operations.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the changed boundaries for aquatic preserve G-6, deleting Indian Lagoon but including all of St. Vincents Island, excepting the marsh lands lying on the westerly side of the Apalachicola River within the City of Apalachicola to allow industrial and port development.

7. G-11, Cape Haze - Gasparilla Sound (Charlotte and Lee Counties).
Objections were presented to the Trustees. Mr. Leo Wotitzky said that Cavanaugh Leasing Corporation and the Cape Haze Corporation owned about 8,000 acres of land included within the preserve boundaries, that the language in the resolution, "Any included lands

or water bottoms to which a private ownership claim might subsequently be proved shall upon adjudication of private ownership be automatically excluded from the preserve" placed the burden of proof in court on the private owner. He said they recognized the substantial value of the area and wanted to see some in state ownership but establishing the preserve now would be premature and might damage their title and development plan.

Mr. Dewey Dye spoke with reference to the resolution and the legal matters raised by the resolution, particularly the requirement for adjudication of private ownership. In that area the boundary lines of private and public ownership can only be established by survey or possibly by agreement, but meanwhile some areas shown on the map inside the preserve were clearly upland, Mr. Dye maintained. The matter had come up at the public hearing but the land was included in the proposed preserve, and until there was a more definite description of the preserve, he requested deferment.

The Director said the resolutions were very carefully drawn, reviewed by the Attorney General's office and the Interagency Advisory Committee, and in their opinion no property titles were clouded. Mr. Stephen Marc Slepin, Assistant Attorney General, reiterated that the resolutions were carefully worded, the only lands included would be state-owned lands, privately-owned lands would be automatically excluded. As to the word adjudication, he said it could be read into the record that adjudication could be by this Board, that private owners would not have to go to Court.

Governor Kirk wanted it understood that adjudication might be by the Trustees, that private property ownership might be proved without requiring private owners to go to Court. The Trustees were concerned that as much as 8,000 acres had been shown in the preserve, although claimed as private ownership, and Mr. Dickinson said the only way it could be upset would be to go to Court. Mr. Apthorp said neither the Board nor the staff was trying to assert ownership to everything within the boundaries shown on the map, that the staff would work with the private owners on the preserve descriptions. Mr. Dickinson said it should be excluded now, that he thought all were in agreement about the need for aquatic preserves but the mechanics were the problem.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees deferred action on G-11 until November 18th.

8. G-8, St. Martins Marsh (Citrus County).
Judge James E. Conner and other public officials had met with the staff on Friday. The Director said to his knowledge this was the only area where a public body had a planning program under way, and he recommended deferment for 90 days pending receipt and study of their plan.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that action on G-8, St. Martins Marsh preserve, be deferred for 90 days.

9. G-5, St. Joseph Bay (Gulf County).
The staff had met with a group interested in this aquatic preserve resulting in a determination that objections to the proposed boundaries were valid, and changes in the original boundary were indicated by the Director on a map, excluding a strip 1,320 feet wide lying on the easterly shore of St. Joseph Bay commencing at the south city limits of Port St. Joe and extending southerly to the north line of the Hollinger submerged land purchase. Then from

the south city limits of Port St. Joe a line was extended diagonally across St. Joseph Bay to the westerly edge of the ship channel in the Bay and thence running northerly along said channel to its confluence with the open waters of the Gulf of Mexico and thence to a point three miles offshore in the Gulf of Mexico. Offshore areas previously sold were excluded. Mr. Apthorp said they would have been excluded by the language in the resolutions, in his opinion.

Senator George Tapper thanked the Board, on behalf of all the civic associations, the County Commissioners and the City Commissioners, for the delay and consideration that had been granted to them. He said the above described boundary change was not just what they desired but was the closest to the three alternatives they had suggested, and that he was authorized to say that all those he represented were in favor of the concept of aquatic preserves.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved G-5, St. Joseph Bay aquatic preserve, with the boundaries recommended by the Director on this date.

Governor Kirk again referred to the word adjudication and the problem it raised in private owners' minds. The Director assured him that the staff would enter into discussion with upland owners and would use everything at the state's disposal to try to arrive at boundary lines.

Mr. Apthorp advised the members that several questions had been raised related to subparagraph six (6) in the policy or concept resolution:

> (6) Neither the establishment nor the management of an aquatic preserve shall infringe upon the lawful and traditional riparian rights of private property owners adjacent to a preserve. In furtherance of these rights, reasonable improvement for ingress and egress, mosquito control, shore protection and similar purposes may be permitted by the State of Florida Board of Trustees of the Internal Improvement Trust Fund and other jurisdictional agencies, after review and formal concurrence by any specifically designated managing agency for the preserve in question.

In order to clarify its meaning, the following policy statement suggested by the Director was approved on motion by Mr. Christian, seconded by Mr. Adams, and adopted.

> "Similar purposes" referred to in the second sentence would include docks, both private and commercial, so long as they do not interfere with public enjoyment and use of the preserve. This paragraph also includes normal drainage of uplands and in no way is intended to inhibit the use of privately-owned uplands so long as publicly-owned bottoms are not unduly disturbed.

At Mr. Apthorp's request, the Trustees directed that a letter of appreciation be sent to Senator Randolph Hodges and the other members of the Interagency Advisory Committee, who had spent a great deal of time on the work of the committee and deserved the thanks of the Board.

Secretary of State brought up the matter of encroachment upon state land, mentioning a reported instance in the Sebastian River and ownership of some islands. He said the Board had heard much from

owners fearing state encroachment on their land but he wanted to call attention to actions of some private owners and put them on notice that there are considerable encroachments, that the staff was aware of it and would move as soon as possible to take proper action, that it was the responsibility of the Board.

Governor Kirk said that was a statement to which the entire Board agreed.

SUBJECTS UNDER CHAPTER 18296

REFUND - Staff requested authority for refund of $30.00 submitted by Richard A.Lawrence, for the reason that the Department of Transportation declined to recommend release of the state road right of way reservations contained in Brevard County Murphy Act Deed Nos. 505 and 541.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of refund in the amount of $30.00.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

10-28-69

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture
James W. Apthorp	Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting of October 28, 1969.

PINELLAS COUNTY - Bulkhead Line, Segment No. "2".
The Trustees deferred until December 2, 1969, the consideration of Segment No. "2" bulkhead line adopted on April 9, 1969, by the Pinellas County Water and Navigation Control Authority.

MONROE COUNTY - File No. 2124-44-253.12; Denial and Refund.
Charles D. Riggs and wife, represented by James T. Glass, applied to purchase a parcel of sovereignty land abutting fractional Section 19, Township 63 South, Range 38 East, 1.78 acres at Plantation Key in Monroe County.

In view of the adverse biological survey report from the Department of Natural Resources (dated October 14, 1968, from Board of Conservation), staff was of the opinion that the parcel should not be sold. Applicant suggested cutting back the proposed purchase area but offered no specific plan for use of the parcel.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees denied the application to have the land advertised for objections, directed that the file be deactivated and $50.00 of the applicant fee refunded.

MONROE COUNTY - File No. 2244-44-253.12, To Be Advertised.
Vincent M. Drost of Sugarloaf Shores, Florida, applied to purchase a parcel of sovereignty land in Sugarloaf Channel abutting Government Lot 1, Section 31, Township 66 South, Range 28 East, 0.86 acre at Cudjoe Key in Monroe County. Applicant offered $1,505.00 for the parcel, valued at $1,750.00 per acre, for the purpose of real estate development.

The biological report dated August 25, 1969, noted that the proposed channel would have adverse effects on marine biological resources of the area. However, the applicant significantly modified his project so as to diminish adverse biological effects and staff recommended advertisement.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized advertisement of the parcel for objections only.

BREVARD COUNTY - File No. 2267-05-253.03, Right of Way Easement. The Department of Transportation requested easement for right of way covering 73.23 acres in the Indian River and 85.83 acres in the Banana River in Township 26 South, Range 37 East, Brevard County, for construction of State Road 404 (Pineda Expressway), Section 7004-2503, Parcel 187.1. The parcels were needed for causeway and bridge approaches. Easements had previously been granted for bridges.

The biological survey report submitted by the Board of Conservation dated October 2, 1968, in connection with this project was adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement requested by the Department of Transportation.

OKALOOSA COUNTY - File No. 2265-46-253.03, Right of Way Easement. The Department of Transportation requested easement embracing 0.6 acre over bottoms of Shoal River in Section 5, Township 2 South, Range 23 West, Okaloosa County, for right of way for State Road 85, Parcel 102.1, Section 57050-2506.

The project had been reviewed by the Department of Air and Water Pollution Control which offered no objections.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the right of way easement.

COLUMBIA COUNTY - Right of Way Easement.
The Department of Transportation requested an easement over certain land in Section 12, Township 2 South, Range 15 East, and Section 7, Township 2 South, Range 16 East, Columbia County, for construction and/or improvement of State Road 136. The Stephen Foster Memorial Commission reviewed and approved the request for easement across part of the Stephen Foster Memorial land near White Springs, Florida.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the requested easement.

LEE COUNTY - Dredge Permit, Section 253.124(6) Florida Statutes. Staff requested authority to issue a dredge permit under the provisions of Section 253.124(6) to Gulf American Corporation, Fort Myers Construction Division, Cape Coral, Florida, for removal of silt from a stream flowing into Glover Bight adjacent to the Caloosahatchee River in Sections 22 and 23, Township 45 South, Range 23 East, Lee County. Upland construction activities caused siltation of the stream and the Trustees by law could direct removal of such material.

Motion was made by Mr. Williams, seconded by Mr. Adams and adopted, that the Trustees direct removal of the silt under permit issued under Section 253.124(6) Florida Statutes.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. Apthorp requested deferment of an application from West Valley Estates, Inc., pending a showing of hardship.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Venture Out in America, Inc., represented by Bailey, Mooney, Post Associates, Inc., requested a permit for dredging a perimeter

navigation channel 6 feet deep, 100 ft. wide and approximately 3/4 mile long. Payment for the material was tendered.

The biological report was adverse. As a result of extensive negotiations by the staff with the applicant, to compensate for destruction of marine biological resources the applicant was willing to relocate portions of the channel and to construct parking and boat launching ramp on the causeway leading to Kemp Channel. On that basis, Mr. Apthorp recommended approval of the dredge permit.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit for navigation channel on the basis recommended.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Captain Floyd Davis applied for permit to construct a boat basin 60 ft. wide by 5 ft. deep and a navigation channel 30 ft. by 5 ft. and 200 ft. long connecting applicant's upland with Buttonwood Sound adjacent to Key Largo in Section 29, Township 61 South, Range 39 East, Monroe County. Approximately 1,100 cubic yards of rock would be removed from the proposed channel and basin, and used in construction of a breakwater.

The biological study indicated adverse effects limited to the actual channel and boat basin. On October 28, 1969, the Department of Natural Resources approved construction of the breakwater.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes. Frank A. Martin applied for permission to dredge to minus-25 ft. in a 200-foot segment of a navigation channel approved under File No. 16 on April 2, 1968, at Plantation Key in Florida Bay, Monroe County. He tendered $740.00 as payment for the 7,400 cubic yards of overdredge material to be placed on uplands.

The Department of Natural Resources biological report indicated that the additional excavation would have little additional effect on marine life.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of the requested dredge permit.

PALM BEACH COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File No. 843-50-253.124.
Douglas H. Miller applied to purchase an additional 45,000 cubic yards of material to be removed from the authorized dredge area and deposited on adequately diked upland property. He tendered $4,500.00 as payment for the additional material.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the application.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Pinellas County Water and Navigation Control Authority issued a dredge permit, subject to Trustees' approval, for a standard navigation channel in St. Josephs Sound in Section 11, Township 28 South, Range 15 East, Pinellas County, to George F. Saunders of Dunedin, Florida.

The Department of Natural Resources biological report was not adverse to the project to improve navigation.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved the application.

ST. LUCIE COUNTY - Dredge Permit, File 326, Section 253.123 F. S. Iowa Land and General Development Co., Inc., Delray Beach, Florida, applied for a permit to dredge an additional 138,000 cubic yards of material from a navigation access channel 15 ft. by 100 ft. by 3,330 ft. long, in the Indian River adjacent to submerged land heretofore purchased encompassing Nettles Island. Applicant tendered payment of $13,800 for the spoil material to be placed upon upland property. Dredge and fill permits had previously been issued for the overall development project. The application was a modification and would facilitate construction.

The biological report submitted on July 15, 1969, was adverse. Staff had placed a favorable recommendation on the agenda but prior to the board meeting on this date found the application was within aquatic preserve A-10. Mr. Apthorp said the recommendation was therefore changed and apologized for the staff error. He pointed out that the navigation channel was designed for two purposes, to provide access and to provide fill material, and that Mr. Evans Crary, Jr., would like to be heard on behalf of the applicant. The staff was working on a policy relating to navigation within preserves and requested deferment for two weeks.

Mr. Crary recalled his appearance before the Trustees in December 1967 for extension until 1970 of a then-existing permit, his conferences with the staff regarding access channel, on-site inspection and approval by a staff member, information given him at the aquatic preserve hearing in Stuart that the area was not in the preserve, reconfirmed by the staff several weeks ago and therefore he had not appeared at the Trustees' recent hearing. He explained that the overall project was in progress, the dredge in place with limited time to complete the access channel to tie in with others already in place and was for a marina for eleven hundred people, that only last week he was advised that the additional fill material required payment which they had tendered. His client had tried to cooperate and a delay of two weeks would increase their difficulties.

Mr. Dickinson said the request was reasonable particularly with the applicant's attempt to comply with requirements and his agreement to work closely with the staff to meet the provisions of the policy for navigation channels that the staff was working on, and he would approve the request. Mr. Williams seconded that approval.

Mr. Apthorp said he would prefer deferment until the policy relating to navigation channels in aquatic preserves was completely developed and presented to the Trustees for consideration, but the standard channel dimensions of 50 ft. by 5 ft. would not solve the applicant's problem and he had not agreed to a reduction in size. The staff regretted not having identified the area as being in the aquatic preserve.

Mr. Christian commented that under the circumstances he didn't see how it would hurt the state. Mr. Dickinson added that the staff did not intend it this way and was doing a great job; he liked the cooperative spirit shown here.

Mr. Crary agreed to a possible solution offered by the Director - for the real problem of getting a dredge in to a site and getting

material - that the Trustees authorize the staff to work out whatever minimum dimensions were necessary for the access channel to the area for which the applicant had an existing permit.

On that basis the motion by Mr. Dickinson, seconded by Mr. Williams, was adopted, with Mr. Adams voting "No."

SARASOTA COUNTY - Maintenance Dredging, Section 253.123 F. S. Sarasota County issued Minor Work Permit No. 70-3, subject to Trustees' approval, to C. G. Chambers and W. R. Fowler for dredging to improve navigation in Lemon Bay in Section 27, Township 40 South, Range 19 East, Sarasota County. The Department of Natural Resources advised that no biological report was necessary, that the area was already silted.

On motion by Mr. Christian, duly adopted, the Trustees approved issuance of the dredge permit.

BROWARD COUNTY - Dock Permit, Section 253.03 Florida Statutes. On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of state dock permit to Lauderdale Yacht Club for a commercial dock in the Stranahan River in Section 11, Township 50 South, Range 42 East, Broward County, for which all required exhibits and $100.00 processing fee were furnished.

GLADES COUNTY - Grazing Lease Nos. 2226 held by Ray D. Chamberlain, Clewiston, and 2237 held by T. M. Beck, Moore Haven, on reclaimed lake bottom land in Lake Okeechobee, for grazing purposes only with an annual rental of $3 per acre and subject to cancellation on 90-day written notice, expiring soon, were recommended for extension for a period of 90 days at the current rental. Lessees had requested 3-year renewal; however, staff felt that a review of the lease terms and an inspection of the land were necessary.

Mr. Adams noted that some leases had been reviewed but it appeared that state leases were not bringing contemporary rates paid for private lands leased, that some state lands might not be used for the purpose for which the leases were issued, and he called for an immediate review. Mr. Conner asked if the land was native or improved pasture (which would make a wide variation in rental) and suggested that assistance might be found in the Comptroller's Tax Guide.

Mr. Christian made a motion, which was adopted, that the leases be extended for only 30 days while the staff prepared a report for the Trustees on the proper rent to be charged.

BROWARD COUNTY - Corrective Deed.
On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees approved issuance of a corrective deed for handling charge of $25.00 as requested by Charles M. Prince, attorney, to clarify uncertain portions of the legal description in Trustees Deed No. 19903 dated December 31, 1952, to Alva Richard Taylor, et ux.

TRUSTEES FUNDS - Request from the Secretary of Administration was presented for expenditure of an amount not to exceed $27,587.00 for renovation and repairs to the Governor's Office and the Mansion.

Estimates based on figures supplied by the Department of General Services showed $15,587.00 required for the work in the Capitol basement (large press room) and $12,000.00 for emergency repairs to the heating and air conditioning system at the Mansion. Actual transfer would be based on bids not to exceed a total of $27,587.00.

The Director said the request was received on Friday because of a serious condition at the Mansion. He asked for a policy decision authorizing use of funds set aside for capitol center land acquisition, such use having been expanded previously for renovation of an old building. He said about $300,000 was set aside for acquisition and he felt that renovation of buildings should be limited or little would remain for land acquisition.

Members asked a number of questions. Mr. Sam Tucker, Secretary of Administration, advised that it would be possible legally to secure funds from the Deficiency Fund, that space needed by the Governor's office in the basement had been used in the past as a press room. Mr. Blakemore advised that the deficiency at the Mansion was a design problem and old equipment, that preliminary plans had been made, that individual press offices would not be affected.

Mr. Adams said he would make a motion for approval for work that needed to be done, but over the years Trustees' funds had been called on for such uses and loans were hard to collect. Mr. Apthorp recommended that if approved, it be made as a grant.

See minutes Dec. 9, 1969

On motion by Mr. Adams, seconded by Mr. Conner, and adopted, the Trustees authorized grant of Trustees' funds for use as explained, the actual transfer to be based on bids not to exceed a total of $27,587.00.

BUDGET - The Director requested approval of the Legislative Budget Request and Operating Cost Reduction Report submitted to the Trustees on November 3, and after approval to be submitted to the Department of Administration.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees granted approval.

Mr. Adams mentioned receipt of letters regarding Gum Slough Drainage District in Monroe County which reportedly might affect Everglades National Park and shrimp areas. He asked the Director and Senator Hodges of the Department of Natural Resources to look into the matter. Mr. Apthorp said the staff had nothing pending. Mr. Hodges said there was a reservation in a conveyance and the statutes provide for creation of a drainage district. The matter would be further investigated.

CONCURRENCE IN DEPARTMENT OF EDUCATION MATTER. Motion was made by Mr. Dickinson and duly carried that the Trustees concur in action taken on this date by the Department of Education approving the substitution of the Board of Regents of the State of Florida as substitute trustees for the State Board of Education as Trustees of the Nellie Swanson Fulk Memorial Trust.

Petition for removal and substitution of trustees will be filed in the Circuit Court in Alachua County, Florida, and explains the need for this change in order that some $28,000 which has been set aside by the U. S. Department of Housing and Urban Development may be

obtained for construction of new housing facilities for the Collegiate Living Organization in Gainesville, Florida.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
November 18, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting of November 4, 1969.

BAY COUNTY - Bulkhead Line, Easements, Dredge, Fill and Dock Permits. Without objection the advance agenda rule was waived in order to consider five agenda items related to the Panama City-Bay County Airport and Industrial District. The bulkhead line was urgently needed for the construction of an extension to the existing runway at Fanning Field for installation of electronic landing aids. Also easements, dredging area, dredge and fill permits, and a dock permit were applied for, as follows:

1. Bulkhead Line. The Board of County Commissioners of Bay County by resolution adopted November 4, 1969, fixed and located a bulkhead line in Goose Bayou in Section 18, Township 3 South, Range 14 West, Bay County. The biological survey report was not adverse and at the time of preparation of the agenda no objections had been received. Subsequently one objection was filed in writing from J. W. Gerde whose objection was not specific. He was not present at the meeting on this date.

Staff recommended approval of the bulkhead line.

2. Easement, File No. 2273-03-253.03. Bay County requested easement embracing 5.7 acres of sovereignty land in Goose Bayou abutting Sections 18 and 19, Township 3 South, Range 14 West, to be used for installation of electronic landing devices at the airport. Also, the county requested easement for a strip of sovereignty land 25 feet in width extending 3,700 feet into Goose Bayou for the purpose of installation of power cable to a navigation light. The same biological report mentioned above, dated September 5, 1969, was not adverse with regard to the easements and permits requested by Bay County.

3. Temporary Easement, Dredge Area. Bay County requested easement covering 6.8 acres in Goose Bayou for dredging area to be used in filling sovereignty land under File No. 2273-03-253.03. Dredging area had been relocated to conform to recommendations of the biological report that indicated the project should have only limited adverse effects.

4. Dredge Permit, Section 253.123 Florida Statutes, File 360;
Fill Permit, Section 253.124 Florida Statutes;
File No. 2273-03-253.03.

The Board of County Commissioners of Bay County issued a dredge and fill permit to Panama City-Bay County Airport and Industrial District to remove 60,000 cubic yards of material from a dredge easement area in Section 18, Township 3 South, Range 14 West in Goose Bayou, Bay County. The material would be used to fill 9.37 acres, more or less, of which 5.7 acres were granted under easement in Sections 18 and 19, Township 3 South, Range 14 West.

5. Dock Permit (Commercial), Section 253.03 Florida Statutes, Aircraft Navigation Beacon.

Panama City-Bay County Airport and Industrial District applied for permit to install an aircraft navigation beacon in North Bay in Section 18, Township 3 South, Range 14 West, Bay County. Waiver of the $100 processing fee was requested in view of the public nature of the project.

Mr. Apthorp recommended approval of the above applications which were of great urgency because a proposed extension of the runway might be delayed, jeopardizing FAA approval of the installations.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved the bulkhead line, easements described in 2 and 3 above, dredge and fill permits in 4, and dock permit in 5.

COLLIER COUNTY - Bulkhead Line. Section 253.122 Florida Statutes. The Board of County Commissioners of Collier County by resolution adopted September 16, 1969, located and established a bulkhead line around part of Helen Key and Fred Key in Sections 26, 27, 34 and 35, Township 52 South, Range 26 East, Collier County. All required exhibits were furnished. There were no objections at the local hearing.

The biological survey report from the Department of Natural Resources indicated that the line approximated the line of mean high tide in most segments, appeared to exclude significant areas of red mangrove, and any future channel dredging should be done in a way that would protect the large areas of these mangroves.

The area did not lie within the Aquatic Preserve designated G-14 as revised.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted, the Trustees approved the bulkhead line adopted by Collier County.

HILLSBOROUGH COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Hillsborough County by resolution adopted October 22, 1969, located and established a bulkhead line in Hillsborough Bay lying westerly of Black Point at Hooker Point in Township 30 South, Range 19 East, Hillsborough County. All required exhibits were furnished. There were no objections at the local hearing.

The biological survey report indicated that the area was committed to industrial and port development due to heavy siltation, filling and spoiling, but that every effort should be made to minimize siltation of lower Hillsborough Bay from dredging and filling in that area.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved the bulkhead line adopted by Hillsborough County on October 22, 1969.

DUVAL COUNTY - File No. 2211-16-253.12 - Land Sale.
For the reason that five members were not present as required for disposition of land, the Trustees deferred action on a land sale applied for by Georgia Industrial Realty Co. and advertised for consideration of confirmation on this date.

COLLIER COUNTY - File No. 2236-11-253.12, Application to be Advertised. Naples Yacht Club, Inc., represented by Walter S. Condon, made application for a parcel of sovereignty land in Naples Bay abutting Tier 8, Block 6, Replat of Tiers 3 to 10, Plat Book 1, Page 76, public records of Collier County, in Section 10, Township 50 South, Range 25 East, Collier County, containing 0.69 acre. Staff had ordered an appraisal on October 15, 1969.

The biological report dated October 20, 1967, was not adverse, stating that the project as planned would not materially affect marine resources or ecology in Naples Bay. The Interagency Advisory Committee reaffirmed the location of the bulkhead line. The applicant proposed to expand yacht club facilities.

The City of Naples was making satisfactory progress on review of its bulkhead lines, and the staff recommended that the parcel be advertised for objections only.

Mr. Faircloth asked whether the five-member rule would apply, to which the Director replied that authority to advertise was the first step but the staff did not consider that five members were required to authorize the advertisement, and that the appraisal would be at hand when the application was considered for sale.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved advertisement of the parcel for objections only.

DADE COUNTY - Fill Permit, Section 253.124 Florida Statutes,
File No. 24971(2106-13)-253.124.
Leo Witz, Trustee, Winston Development Corp., requested approval of fill permit issued by Dade County on September 24, 1969, for filling

an area of abandoned river bed conveyed to the applicant on May 27, 1969, by the Trustees. No dredging was contemplated. The applicant had stated that delay would cause hardship. Staff considered the request valid and placed the application on the agenda for action under the hardship provision of the policy adopted on July 1, 1969.

The biological report submitted on June 17, 1969, as it affects the river bed indicated that it was silty and supported no vegetation. The island referred to in the report was in private ownership and would be included in the development.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the Trustees approve the fill permit issued by Dade County under provisions of Section 253.124 Florida Statutes.

HILLSBOROUGH COUNTY - Dredge and Fill Permit, File No. 1931-29-253.124, Apollo Beach Project.

On August 12, 1969, the Trustees authorized 90-day conditional permit to Francis J. Corr, Paul B. Dickman and Robert E. Lee & Co., represented by Danforth Browne, for the continuance of dredging and filling of Parcel 8 in the Apollo Beach development project, in the unsurveyed part of Section 16, Township 31 South, Range 19 East, Hillsborough County. The applicants complied with the requirements of the conditional approval to submit a status report of the total project, a plan of further development that would indicate dredge and fill areas, proposed profiles and estimated quantities of material to be excavated.

Applicant requested a permit for dredging and approval of Hillsborough County fill permit issued on June 25, 1969. Staff had advised the applicants that the permits, if approved, would contain certain performance requirements similar to those imposed upon the Curtiss-Wright project on Perico Island in Manatee County.

Mr. Apthorp mentioned the discussion on August 5 and 12, 1969, negotiations with the applicant, and presented the following staff recommendations with respect to the regular permit:

1. All conditions relating to installation of spillway pipes and their maintenance to be similar to those set forth in the temporary permit issued August 12, 1969.

2. The same standards relative to turbidity in the temporary permit to be included in the regular permit.

3. After completion of first stage dredging a dike surrounding the area to be filled shall be constructed and properly maintained to prevent the slurry from breeching the impoundment area.

4. A suitable performance bond shall be executed and delivered to the Trustees prior to commencement of any dredging and filling. Staff recommends that bond be in the amount of $39,000, computed at the rate of $300 per acre, on the basis that approximately 130 acres of sovereignty land could be damaged if dredging contractor fails to carry out terms of the permit.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of a dredge permit and approved the fill permit issued by Hillsborough County, subject to all the above staff recommendations.

DUVAL COUNTY - Dredge Permit, After-the-fact.
Imler Earthmovers, Inc., of Jacksonville, Florida, applied for after-the-fact dredge permit for removal of 1,980 cubic yards of material from Fishing Creek in Section 42, Township 3 South, Range 26 East, Duval County. All the material had been placed on upland and applicant tendered check in the amount of $594.00, at the penalty rate (three times the regular rate) for the material removed. No biological report was required for the completed project.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted, that the Trustees authorize issuance of the permit.

CLAY COUNTY - Dredge Permit, Section 253.123, File 402.
Houdaille-Duval-Wright Company of Jacksonville, Florida, applied for permit to dredge two 100 ft. wide by 6.0 ft. deep navigation channels in Doctors Lake in Township 4 South, Range 26 East, Clay County. The channels would aid the applicant in constructing a bridge over the lake. On completion of the project, the spoil would be replaced to the original bottom depth.

The Department of Natural Resources biological survey report was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved the dredge permit to improve navigation.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123, File 397.
Westinghouse Electric Corporation applied for permission to dredge a 200 ft. by 200 ft. turning basin and a channel 10 ft. deep, 100 ft. wide and 4,000 ft. long in Escambia Bay in Section 6, Township 1 South, Range 29 West, Escambia County. Material removed would be placed on applicant's upland.

The Department of Natural Resources biological survey report was not adverse.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the permit to dredge for navigation improvement purposes.

SARASOTA COUNTY - Dredge Permit, Section 253.123, File 395.
Mara Beach, Inc., applied for permit to dredge a navigation channel 75 ft. wide by 7 ft. deep in Buttonwood Bayou in Section 6, Township 36 South, Range 17 East, Sarasota County. $50 check was tendered as payment for the overdredge material.

Department of Natural Resources biological survey report dated September 15, 1969, was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit to improve navigation.

COLLIER COUNTY - Dredge Permit, Section 253.124(6), Removal of Unauthorized Fill.
Staff requested authority to direct G. Lloyd Sheehan, represented by Thomas T. Trettis, Jr., City Attorney of Naples, Florida, to remove fill material which was placed without authority, from a spit in Sections 14 and 15, Township 50 South, Range 25 East, Naples Bay,

Collier County.

The Department of Natural Resources advised that no biological survey was required for removal of the unauthorized fill.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees granted the authority requested by the staff to direct removal of the unauthorized fill material under provisions of Section 253.124(6) Florida Statutes.

PINELLAS, COLLIER, DADE COUNTIES - Dock Permits, Section 253.03 F. S. On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the following applications for state commercial dock permits for $100 processing fee for each:

1. Pinellas County - Dock permits approved by Pinellas County Water and Navigation Control Authority, subject to Trustees' approval, to

   (a) Arthur Camire, 11875 Third Street East, Treasure Island, Florida, to construct a dock in Boca Ciega Bay in Section 14, Township 31 South, Range 15 East

   (b) Arthur L. Johnson, 11875 Third Street East, Treasure Island, Florida, to construct a dock in Boca Ciega Bay in Section 14, Township 31 South, Range 15 East

2. Collier County - R. A. Griffis of Marco, Florida, to construct a marina facility in Section 5, Township 52 South, Range 26 East, Marco Island, Collier County

3. Dade County - The Marine Exhibition Corporation, Miami, Florida, to construct two timber dolphins in Section 20, Township 54 South, Range 42 East, Biscayne Bay, Dade County

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FRANKLIN COUNTY - Permit for Oyster Watch House.
Mr. Olan Ward, holder of Oyster Lease No. 525 containing 463.3 acres of submerged land in Big Bayou of St. Vincent Sound in Franklin County, requested authority to construct an oyster watch house on his leased area to shelter a watchman for surveillance of cultivated oyster beds. Staff recommended permit without charge for construction and maintenance of a watch house no larger than 400 square feet, for so long a period of time as the oyster lease was in effect.

The Department of Natural Resources reviewed and approved the request. Also, the St. Vincent National Wildlife Refuge, upland owner within 300 feet of the site, approved the structure and location.

Mr. Adams asked if it might open a door for other such structures. Mr. Conner asked if it would be a storage place. The Director explained that it would permit around-the-clock surveillance and would be recommended only where an oyster lease existed.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the permit as recommended by the staff.

PALM BEACH COUNTY - Disclaimer, File No. 2270-50-253.129.
Brockway, Owen and Anderson Engineers, Inc., on behalf of Mrs. Mary Dular Weigel, applied for disclaimer to filled sovereignty lands

in Lake Worth abutting Lot 7, Block 1, Jefferson Park, according to plat recorded in Plat Book 1, Page 90 of the Public Records of Palm Beach County, being a subdivision in Section 27, Township 43 South, Range 43 East, Palm Beach County. The parcel containing 0.313 acre, more or less, was filled prior to June 11, 1957, the effective date of the Bulkhead Act.

On motion by Mr. Williams, adopted without objection, the Trustees authorized issuance of disclaimer for the $100 processing fee.

HILLSBOROUGH COUNTY - Easement.
The Department of Transportation requested easement over and across 0.014 acre in Section 16, Township 28 South, Range 19 East, Hillsborough County, for construction and/or improvement of State Road No. 582 (Fowler Avenue). The small parcel to be used for right of way would not materially interfere with present use of the area as a resident engineer's office by the Department of Transportation.

On motion by Mr. Faircloth, adopted without objection, the Board authorized issuance of the easement.

ST. JOHNS COUNTY - Easement.
The City of St. Augustine requested an easement for construction of a sanitary sewer line under the East 10 feet of Lots 67, 83, 84 and 85, Nelmar Terrace Subdivision per plat in Map Book 1, page 1, St. Johns County public records, being land in use by the School for the Deaf and the Blind. The school recommended the easement.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the easement to the city.

MARTIN COUNTY - Refund.
Staff recommended that the amount of $5,360.00, previously placed in escrow with the Trustees, be returned to the estate of the late Vince "Trapper" Nelson. On May 6, 1969, an exchange of 360 acres of Jonathan Dickinson State Park property was authorized, and the 857.5 acres received in the exchange was affected by a questionable provision in the Nelson will reserving to the heirs one-half of the oil and mineral rights. Attorneys for the Nelson estate were successful in their efforts to have the Court declare the said provision in the will to be void as an unlawful restraint against alienation. Deeds were on file from the heirs of Vince Nelson, quitclaiming their interest in the oil and mineral rights to the Trustees. As the Trustees now held the full oil and mineral interest in the land, it was in order to return the amount placed in escrow as the appraised value of the oil and mineral rights in the 857.5 acres deeded to the state.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized refund of the $5,360.00 which had been placed in escrow.

POLK COUNTY - Refund.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized cancellation of permits and refunds to the following parties who had done no work under their dredge and fill permits and requested refunds:

1. $95 refund to Robert L. Blanding, Babson Park, Florida, Permit No. 253.03-20

2. $500 refund to S. H. Chelsted, Haines City, Florida, Permit No. 253.03-99

MONROE COUNTY - The Trustees deferred consideration of a request for a duplicate deed in lieu of one lost before recording, for the reason that only four members were present.

MONROE COUNTY - Proposed Channel, Florida Keys Junior College. On request of the staff, the Trustees deferred for one week the consideration of bid proposal received as a result of advertisement authorized on September 25, 1969, for competitive bids for 2,280,000 cubic yards of limestone material to be removed from a channel to be constructed in the Gulf of Mexico in Monroe County.

DADE COUNTY - Erosion at Golden Beach.
Melvin T. Boyd, an attorney representing a group of residents of Golden Beach in Dade County, Florida, and Francis Miller, Town Attorney, appeared before the board in regard to an erosion problem of great urgency. In explaining the situation, Mr. Boyd said about a year ago a structure was allowed to be built out into the Atlantic Ocean across the county line in Broward County which had caused serious erosion from scouring action, damaging valuable property and homes on the south side of the county line in Dade County, that the offending structure appurtenant to the Parker-Dorado Apartments in Hallandale, Broward County, was built over state sovereignty land, that his clients and residents of Golden Beach urged the Board to order removal of the structure which had caused erosion as shown on a number of photographs, that the situation had been immeasurably aggravated by recent weather and wave action so that immediate relief and emergency funds were requested.

Mr. Adams said there were problems all along the coast line, that a structure can affect adjoining properties and the staff would be asked to look into the situation and make a recommendation to the Trustees who would be amenable to anything within their authority and resources, that the applicants should contact Mr. Bill Carlton of the Department of Natural Resources to work out a program which the Trustees would be happy to cooperate with within their legal responsibility and means.

Mr. Faircloth asked whether removal of the offending structure would restore the beach, and whether in the excavation for the building they had placed a fill seaward to create land.

Mr. Adams mentioned the limited appropriation made by the Legislature to cover the entire coast line of Florida, and his regret that the situation had reached such an emergency status before being called to the Board's attention.

Mr. Apthorp said the matter would be pursued jointly by the staff of the Trustees and the Department of Natural Resources. He added that the residents were in litigation with Parker-Dorado and both parties would be contacted to try to arrive at some solution as to emergency relief - but they must proceed carefully.

TRUSTEES FUNDS - Secretary of State Adams had attended a meeting of the Pensacola Historical Restoration and Preservation Commission and learned of their grant from the United States Department of Housing and Urban Development, of required matching funds being needed as the said Commission funds were exhausted, and Mr. Adams felt that a loan of Trustees' funds at a reasonable interest rate might be a wise investment. $157,000 was needed for purchase of valuable waterfront property.

Without objection, at Mr. Adams' request the staff was asked to look into the request for loan and make a recommendation to the Board.

POLICY - Navigation Channels Within Aquatic Preserves.
On October 21, 1969, the Trustees had adopted a resolution that set in motion the creation of a system of aquatic preserves in various areas embracing sovereignty and other types of state-owned lands throughout the State of Florida. From the standpoint of conservation and preservation of marine biological resources within the preserves, the staff recommended that when navigational channels were permitted by the Trustees, such channels be dredged of sufficient size to accommodate all reasonable traffic, with the intent to minimize future maintenance dredging and serve as large an upland area as practicable.

Mr. Apthorp said that in reviewing an application for a navigation channel, the staff would try to see that channels were placed where the least damage would occur to marine biological environment, also where the channels would be of greatest use and of sufficient size to avoid requirement of frequent maintenance.

On the recommendation of the staff, motion was made by Mr. Faircloth, and adopted without objection, that the Trustees adopt a policy that encourages single large navigation channels and requires payment for all material excavated calculated at the minimum rate of 10¢ per cubic yard with no deductions for yardage as heretofore allowed in the construction for the standard minus-five feet mean low water by fifty feet wide bottom width channel. The charge represents compensation for damage to the marine biological environment and payment would be made irrespective of spoil area location. Those publicly funded authorized navigation channel projects would be exempt from such charges in the administration of this policy.

The above policy was adopted with reference to navigation channels within aquatic preserves.

Action was deferred on consideration of policy recommendations with respect to reclaimed lake bottom lands.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

11-18-69

Tallahassee, Florida
November 25, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting of November 18, 1969.

DUVAL COUNTY - File No. 2211-16-253.12.
At the request of the applicant, Georgia Industrial Realty Co., the Trustees deferred consideration of sale of a parcel of sovereignty land in the St. Johns River in Duval County until December 16, 1969.

COLLIER COUNTY - File No. 2154-11-253.12, Land Exchange, Sale, Dedication, Clearing Title.
On September 30, 1969, the Trustees heard a proposal of Collier-Read Company involving all those submerged and sovereignty lands lying within Development Tracts A, B, C, D and E, according to the Collier-Read Tract Map, Plat Book 8, Pages 46 and 47, public records of Collier County, in Township 51 South, Range 26 East, within a previously approved bulkhead line about which the biological report stated, "This bulkhead line represents a compromise between maximum development and no disturbance of the subject area . . . to protect certain productive areas from dredging and filling." The application was advertised in the Naples Daily News, proof of publication filed in the Trustees' office.

Presented by Paul T. O'Hargan of Tri-County Engineering, the application proposed to convey 500 acres to the Trustees and together with the Trustees 337.44 acres to The Nature Conservancy, a private foundation; applicant desired to obtain title to 167.85 acres of Trustees' land within the established bulkhead line; applicant would dedicate 320.55 acres to Collier County for public waterways; and applicant would convey an additional 57.14 acres to The Nature Conservancy. Appraisal of the 167.85 acres to be conveyed to Collier-Read was $250 per acre or $41,960 for the land to be used for real estate development.

The Director said this was the final step in a project, that the many details and planning efforts of the owners of upland property and the staff resulted in a series of agreements that would serve the best interests of the public as well as the developer, that it was a model of cooperation between developer and Trustees. Instruments had been prepared for execution, carrying out the following staff recommendations:

1. Collier-Read to convey record title to non-existent lands

bayward of established bulkhead line in exchange for non-existent water areas landward of said bulkhead line, between U. S. meander lines. Difference in acreage is not to be considered.

2. Collier-Read to convey to Trustees and Trustees to dedicate conservation areas as indicated on Tract Map, to The Nature Conservancy. The dedication to be authorized on the date of confirmation of sale to Collier-Read.

3. The Trustees will waive fees for fill material to be removed from channels in those areas lying inside U. S. meander line.

4. All fill materials obtained from channels outside the U. S. meander line will be subject to the usual 10¢ per cubic yard charge. The applicant's engineer to furnish certificate as to estimated quantities of material at time application is submitted for dredge permit.

5. Trustees to convey to the Collier-Read Company 167.85 acres of submerged and sovereignty land at the appraised value of $41,960.

Mr. Adams recalled the earlier presentation of the bulkhead line, and was assured by the Director that action on this date implemented the earlier decision of the Trustees on the bulkhead line and the general planning presented at that time.

Interested parties present included Norman Herring of Collier-Read Company, George Huntoon, Paul T. O'Hargan and Joel Kuperberg. The latter represented The Nature Conservancy. Mr. Herring tendered check in the amount of $41,962.50.

On motion by Mr.Williams, seconded by Mr. Christian and adopted, the staff recommendations listed above were approved, check was accepted, and the instruments were executed by those present with absent members' signatures to be affixed later. Mr. Apthorp presented to Mr. Kuperberg the dedication to The Nature Conservancy of those areas designated as conservation areas, containing reversion clause in the event the private foundation ceased to exist or fulfill the purpose for which the lands were dedicated.

LEE COUNTY - File No. 2194-36-253.12, Land Sale.
The Captiva Islands Company, represented by Emmet B. Anderson, had applied for 4.0 acres, more or less, of sovereignty land in Pine Island Sound and Chadwick Bayou abutting fractional Sections 22 and 23, Township 45 South, Range 21 East, Lee County, being that part of said Pine Island Sound and Chadwick Bayou lying between the present mean high water line and the bulkhead line as established by the Board of County Commissioners of Lee County on May 22, 1968. The Trustees approved the bulkhead line on May 16, 1969, application was placed on the agenda on September 30 and authorized for advertisement under the hardship policy. Notice of sale was published in the Fort Myers News-Press, proof of publication filed, and numerous objections received. Applicant offered $1,000 per acre, or total offer of $4,000. Appraisal dated August 25, 1969, valued the land at $250 per acre.

The biological survey report from the Board of Conservation stated that this was an excellent bulkhead line and development proposal and demonstrated that with cooperation and understanding, the best interests of conservation and development might be served.

Approximately eighty objections were filed which were reviewed by the staff, and the main issue appeared to be one of location of the line of mean high water. The staff had conferred with the surveyor who prepared the maps and description of the subject area and who indicated that the line of mean high water was located based upon datum traditionally used by surveyors in the county area. Staff recommended that the objections be overruled and sale confirmed.

Representing Lee County Conservation Association, and presented two additional letters of objection, Vincent Honc requested that the application be denied or postponed until further studies could be carried on in the area to locate the true high water mark. He said the proposed sale of 4 acres was based on a survey which grossly misrepresented the actual acreage of submerged land involved, that incorrect tidal datum plane figures were used, that the appraised value was too low as estuarine lands were worth more in annual production to the state, that valuable red mangrove areas were involved, and that the biological report was made based on the incorrect mean high water line. He said another survey should be made and pointed out that the parcel lay within the boundaries of the Aquatic Preserve System (G-13).

Mr. Anderson, on behalf of the applicant, said the mean high tide line used was that used for years in the establishment of the mean high water mark, that the Coast and Geodetic Survey work in the area was not complete, that competent engineers' advice had been secured, that the biologist surveyed and reported it was a good bulkhead line, that there was no opposition at the local hearing, and that objectors had presented no contrary conservation reports. The applicant had owned and paid taxes on 129 acres for 10 years, and his predecessor in title for about 20 years.

Mr. Apthorp said it pointed up the problem of a lack of final determination of the mean high water line, that the staff had discussed with the Coast and Geodetic Survey the need to proceed as fast as possible to complete the work started with the Mean High Water Committee, and in the interim the staff should rely on the tidal data that were used and was reluctant to challenge the ability of the registered land surveyors. There would be a period of time before the pilot project in Lee County was complete, and the staff found that the Board had adopted a recommendation of the Mean High Water Committee that permanent uniform standards be prepared for the use of professional land surveyors and engineers - which had not yet been done. He advised that the Society of Registered Land Surveyors was in the process of adopting Guidelines which the staff would review and would ask the Coast and Geodetic Survey to review. The staff was reluctant to put the Board in the position of saying that a man who owns 129 acres actually owns only some 20 acres, the Director said.

Mr. Adams commented that herein lay the difference between the four acres on the application and the eighty acres the objectors referred to, that descriptions depend on where the mean high water line was located. The staff recognized the differences of opinion and the Board had spent considerable time, effort and money ($250,000 this year) to produce what as the final product will resolve the questions.

Motion was made by Mr. Williams, seconded by Mr. Christian, and adopted, that sale of the advertised parcel be confirmed at the price offered.

PUTNAM COUNTY - File No. 2279-54-253.03, Dedication.

The Board of County Commissioners of Putnam County (Putnam County Port Authority) by resolution adopted November 4, 1969, requested dedication of 21.151 acres of sovereignty land in St. Johns River abutting Section 37, Township 9 South, Range 26 East, Putnam County, to be used in conjunction with Putnam County Barge Port. Applicant requested waiver of the two weeks advance agenda period in order to meet proposed contract dates. Staff recommended advertisement for objections only.

The biological survey report was not adverse, stating that the proposed site has apparently been subject to paper mill pollution, the submerged lands in the vicinity were not vegetated, and that development of either site as a barge port should not have significant adverse effects on marine or aquatic life in the area.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized advertisement for objections only.

DADE COUNTY - File No. 2280-13-253.03, Easement.
The Department of Transportation requested easement covering 3.8 acres of sovereignty land in Biscayne Bay abutting Sections 9 and 10, Township 53 South, Range 42 East, Dade County, to be used in construction of State Road 828 (79th Street Causeway), Section 87080-2505, Parcel 103.1.

No dredging or filling was proposed within the area of the request, and the Department of Natural Resources had no objection or recommendation on the project.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees granted the request for easement.

LEON COUNTY - File No. 2281-37-253.03, Easement.
The Department of Transportation requested easement over 1.0 acre of bottoms of Ochlockonee River in Section 14, Township 1 North, Range 2 West, for construction of State Road 8 (I-10), Section 55320-2403, Parcel 117.1, Leon County.

No dredging or filling was proposed within the area of the request, and the Department of Natural Resources had no objection or recommendation on the project.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees granted the request for easement.

ORANGE COUNTY - Easement, Park Land. Florida Gas Transmission Company of Winter Park, Florida, requested an easement for installation and maintenance of a 24-inch natural gas pipeline through Sections 27 and 34, Township 20 South, Range 28 East, in Wekiwa Springs State Park, Orange County. The company offered $1,000 for easement 25 feet wide parallel and adjacent to an existing pipeline easement granted in 1959 by former owners of the land.

The Division of Recreation and Parks had reviewed and recommended approval of the request, which was also approved on this date by the Department of Natural Resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement for the price offered by Florida Gas Transmission Company.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees reconfirmed approval of the following disclaimer and easements which were approved on November 18 by four members:

1. Palm Beach County - File No. 2270-50-253.129, Disclaimer applied for by Brockway, Owen and Anderson Engineers, Inc., on behalf of Mrs. Mary Dular Weigel, of 0.313 acre of filled sovereignty land in Lake Worth, Palm Beach County; $100 charge.

2. Bay County - File No. 2273-03-253.02, Easement requested by Bay County covering 5.7 acres of sovereignty land in Goose Bayou for electronic landing devices at the airport. Also, easement across a strip of sovereignty land 25 feet wide extending 3,700 feet into Goose Bayou for installation of power cable to navigation light.

3. St. Johns County - Easement, Institution Land. Easement requested by the City of St. Augustine for a sanitary sewer line under the East 10 ft. of Lots 67, 83, 84 and 85, Nelmar Terrace Subdivision, being land used by the School for the Deaf and the Blind.

4. Hillsborough County - Easement to the Department of Transportation across 0.014 acre in Section 16, Township 38 South, Range 19 East, for construction of State Road No. 582.

MONROE COUNTY - Duplicate Deed. On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of a duplicate deed for $25 handling charge, as requested by Fred A. Bee in lieu of Trustees Deed No. 21058 dated October 25, 1955, which was lost prior to recording in the public records.

BAY COUNTY - Aquaculture Lease. On October 7, 1969, the Trustees authorized advertising for sealed bids for a commercial aquaculture lease of 2,500 acres of submerged land in West Bay, Bay County. Application had been received from Marifarms, Inc., of Panama City, Florida. Notice inviting bids was published in the Tallahassee Democrat and the Panama City News pursuant to law, proofs of publication filed, and all riparian upland owners within 1,000 feet of the area proposed for lease and the Board of County Commissioners of Bay County were notified by certified mail.

Bidding consideration was the highest annual rental offered with a minimum rent as follows: first 1½ years $3 per acre, 1½ through 5 years $5 per acre, and 6 through 10 years $10 per acre. Term was 10 years subject to renewal for additional 10 year periods, and a royalty would be assessed after the first 1½ years' operation.

One bid was received and opened at the advertised time, from Marifarms, Inc., offering $4 per acre for the first 1½ years, $6 per acre for the period from 1½ years through 5 years, and $10 per acre for the period from 6 years through 10 years.

However, written objections had been filed during the 30-day notice publication period, and by law the Trustees were required to hold a public hearing to hear and consider objections. The Staff recommended a hearing on December 8th at a place in Bay County to be designated in an advertisement. The Director suggested that the Board appoint Mr. Herbert Benn, Assistant Attorney General, as hearing officer.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Trustees receive the bid, authorize a public hearing to be held in Bay County, and appoint Mr. Benn as hearing officer.

BAY COUNTY - Dredge Permit, Section 253.123 F. S., File No. 400.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of a dredge permit to W. Lamar Gammon for maintenance dredging in Spanish Shanty Cove, Hurricane Island, in Section 36, Township 4 South, Range 15 West, Bay County, the spoil material to be placed on applicant's upland. The biological report was adverse, but the applicant had a definite need for a navigation channel.

BAY COUNTY - Dredge Permit, Section 253.123, File No. 263.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of dredge permit to Panama City Port Authority to improve navigation by removal of 42,000 cubic yards of material from port site in St. Andrews Bay in Section 34, Township 3 South, Range 14 West, Bay County. The material would be placed in two spoil areas granted under Spoil Disposal Easement No. 24964(2205-03) covering 10.33 acres in said Section 34. Biological report was not adverse.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 31.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of dredge permit to John S. Kemp for a navigation channel 30 ft. wide, 75 ft. long, 5 ft. deep, and a boat basin 50 ft. wide, 105 ft. long, 5 ft. deep, in Niles Channel, Big Torch Key, Monroe County. Spoil material would be placed on applicant's upland. The biological report indicated adverse effects, however the staff recommended approval to improve navigation.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 146.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of dredge permit, subject to all spoil material being placed on applicant's upland, to Duncan Hunter of Islamorada, Florida, for a navigation channel 50 ft. wide, 157 ft. long, 5 ft. deep, and a channel 100 ft. long, 35 ft. wide, 5 ft. deep, in Florida Bay in Section 31, Township 63 South, Range 37 East, Monroe County.

The biological survey report was not adverse but recommended that all spoil material be placed on applicant's upland.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 138.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved an application made by James T. Glass on behalf of Armat Realty Co., Inc., for a navigation channel 1,740 ft. long, 50 ft. wide and 5 ft. deep in the Atlantic Ocean in Section 6, Township 64 South, Range 37 East, Monroe County. The material removed would be placed on applicant's upland, and the biological survey report was not adverse.

MONROE COUNTY - Dredge Permit, Section 253.03, File 137;
Fill Permit, File 21802-253.03.
William H. DeWerff, represented by James T. Glass, applied for

permission to dredge a boat basin on his submerged land and to dredge a 30 ft. wide by 5 ft. deep navigation channel in the Atlantic Ocean adjacent to his ownership in Section 28, Township 63 South, Range 37 East, Monroe County. The material removed from the boat basin would be placed on submerged land purchased previously; and material removed from the channel would be placed around the boat basin for protection from storms. The project would provide access to navigable waters. The biological report was adverse.

Motion was made by Mr. Williams, seconded by Mr. Christian and by Mr. Dickinson, and adopted, that the dredge and fill permits be approved.

PINELLAS COUNTY - Fill Permit, Section 253.124 Florida Statutes, File No. 21915(122-52)

Pinellas County Water and Navigation Control Authority issued a fill permit, subject to Trustees' approval, to W. W. Caruth, Jr., of St. Petersburg Beach, Florida, for seawall-fill within 20 feet of present mean high water line to provide limited reclamation of eroding shore line in Section 6, Township 32 South, Range 16 East, Boca Ciega Bay, Pinellas County. The area was within the boundary of an aquatic preserve, but was originally filled under approval of the Trustees March 24, 1959, Deed No. 21915. Staff recommended approval, since the project would provide shore protection.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the requested fill permit.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

On motion by Mr.Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of dredge permit to B. G. Jones III and Dewey Wilcox, in care of Anthony T. Young of Fort Pierce, Florida, for a standard navigation channel 2,700 feet long in the Indian River in Section 16, Township 34 South, Range 40 East, St. Lucie County. Material would be placed on applicant's upland, and the biological report was not adverse.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes; Fill Permit, 21570-58-253.124.

Sarasota County Water and Navigation Control Authority issued a dredge and fill permit, subject to Trustees' approval, to Donald Platt and Melvin Potter to dredge 7,000 cubic yards of material from submerged lands purchased in Section 25, Township 40 South, Range 19 East, Lemon Bay, Sarasota County. The material removed would be placed on submerged land purchased within an established bulkhead line, same location as dredge area. The biological report was not adverse.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted, that the Trustees authorize the dredge permit under provisions of Section 253.123 and approve the fill permit issued by Sarasota County under Section 253.124 Florida Statutes.

WALTON COUNTY - Artificial Reef Permit, Section 253.03 F. S.

The Walton County Chamber of Commerce applied for permission to construct four artificial reefs in Choctawhatchee Bay at sites chosen after meetings between local Chambers of Commerce, commercial fishing and shrimping interests including Southeastern Fisheries and Wildlife, sport fishermen, U. S. Army Corps of Engineers, Eglin Air

Force Base, and the Department of Natural Resources. Said Department recommended issuance of the permit. All reefs would be marked by a special purpose buoy.

The reefs would be approximately one acre in size located at (1) 30°24'38" N. Lat. 86°08'48" W. Long.; (2) 30°25'56" N. Lat. 86°14'18" W. Long.; (3) 30°27'58" N. Lat. 86°14'34" W. Long.; and (4) 30°24'36" N. Lat. 86°17'35" W. Long.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of artificial reef permit for the four fishing reefs.

CHARLOTTE COUNTY - Aquatic Preserve Cape Haze - Gasparilla Sound (G-11)

On October 28 the Trustees deferred action on establishing the Cape Haze-Gasparilla Sound Aquatic Preserve in order to allow representatives of the upland owner in the subject area and Trustees' staff to prepare a mutually acceptable description of the preserve. A mutually acceptable temporary northern limit had been determined, and staff recommended approval of modified limits of the preserve.

Mr. Apthorp said the staff had arrived at a temporary solution, that it involved low areas and title questions and the description that the Interagency Advisory Committee furnished had included a large amount of land that was clearly upland in character, that the owners had agreed that there would be no development during a period of time while the staff would work with them on a plan for the use of the area and then arrive at a boundary line between public and private ownership. He further explained that the owners had submitted deeds for examination, with descriptions which if followed would go offshore and result in a loss to the public of offshore areas.

Mr. Adams said it had been his understanding that it would be a simple matter when the deeds were examined to place the line between private and public, that at the previous hearing when aquatic preserves were established other owners had raised similar questions and he was concerned that actions be equitable to all owners. He did not object to the proposed temporary solution but noted that the approach appeared to be somewhat different.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees approved the modified limits of Preserve G-11.

TRUSTEES ADMINISTRATIVE RULES - Pursuant to the mandatory requirement of Chapter 120 Florida Statutes, the staff presented for adoption Rules of Administrative Procedure of the Board of Trustees of the Internal Improvement Trust Fund.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the administrative rules be approved.

MONROE COUNTY - Florida Keys Junior College. On September 2, 1969, the Board authorized advertisement for competitive bids for the removal of 2,280,000 cubic yards of limestone material from a strip of land in the Gulf of Mexico in Monroe County. Only one attempt to bid was received, but it was a counter offer or bid which was not responsive to the advertisement. Staff recommended rejection

of the counter offer and readvertisement with additional consideration given to reduction in dredged depth to minus-30 feet at mean low water, and to allow option to extend time permitted for removal of the material.

On motion by Mr. Williams, seconded by Mr. Christian, and adopted, the Trustees authorized readvertisement as recommended by the staff.

MONROE COUNTY - Summerland Key Litigation. Staff had placed on an addendum to the agenda the consideration of a report and recommendations by the Attorney General on the Summerland Key litigation. However, since both the Governor and Mr. Faircloth were absent, Mr. Adams said it would be more appropriate to defer the matter until those members were present. Mr. Herbert Benn, who had been asked to report on this date, advised that the time for appeal was running. However, Mr. Christian said he also thought the matter should be postponed.

It was so ordered.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr.Christian and adopted, the Trustees authorized refund to the following four applicants of the amounts tendered with requests for release of state road rights of way reservations contained in numbered Murphy Act deeds, for the reason that the Department of Transportation did not recommend the releases:

Murphy Act Deed No.	Applicant	Refund
Alachua County 1336	Jenkins and Williams	$15.00
Broward County 1701	Bernstein, Hodsdon and Tannen	15.00
Citrus County 233	Herbert C. Hagerty	15.00
Monroe County 290	Walter E. Godbold	30.00

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

11-25-69

Tallahassee, Florida
December 2, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in the Governor's Office, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T.Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Without objection, the minutes of the meeting on November 25, 1969, were approved as submitted.

BREVARD COUNTY - Bulkhead Line.

Upon request by the Director, the Trustees deferred consideration of a bulkhead line adopted March 21, 1969, by the Board of County Commissioners of Brevard County near the west shore line of the Indian River near State Road No. 405 in Section 35, Township 22 South, Range 35 East, and Section 1, Township 23 South, Range 35 East, Brevard County.

PINELLAS COUNTY - Bulkhead Line, Segment "No. 2."

The Board of County Commissioners, sitting as the Water and Navigation Control Authority of Pinellas County, by resolution adopted on April 9, 1969, fixed and located a bulkhead line, Segment No. 2, adjacent to and offshore from existing lands along the easterly limits of South Pasadena, and also extended a portion of Segment No. 9 of the Pinellas County Bulkhead Line in Section 30, Township 31 South, Range 16 East. There were objections at the local hearing to the establishment at the mean high water line.

All required exhibits were furnished. The biological survey report from the Florida Board of Conservation (Department of Natural Resources) indicated that the proposed bulkhead line set approximately at the mean high water line excluded productive grassflats as potential fill areas, and therefore offered no objections.

Consideration of this bulkhead line originally scheduled for the meeting on November 4 was deferred at the request of Mr. Adrian S. Bacon, attorney for South Pasadena Development Corporation. He and Mr. Charles Spitz, attorney, were present to represent that firm in opposition to approval of the bulkhead line as located along the line of mean high water.

Pursuant to Section 3, Chapter 69-342, Acts of 1969, that created the Boca Ciega Bay Aquatic Preserve, the Trustees are required to approve the bulkhead line as located. The section of the law states that, "The Trustees . . . shall not approve any seaward relocation of bulkhead lines; or, further establishment of bulkhead lines except as where a proposed bulkhead line is located at the line of

mean high water along the shoreline." The proposed line appeared to come within the purview of the law, and the staff recommended approval.

Mr. Bacon's presentation on behalf of South Pasadena Development Corporation reviewed the history of the case beginning with deed from the Trustees in 1925 conveying submerged land in Pinellas County, construction commenced to improve the foreshore and shallow submerged land pre-dating the Town of South Pasadena, development through the years, boundary line agreements between the owners that were made a part of the public records that included agreements that each owner had the right to improve their own land, purchasers of the submerged land having the right to fill the property. His client's sworn applications in September of this year to the Pinellas County Water and Navigation Control Authority requested construction permit to build upland within the confines of their ownership and requested that the bulkhead line be set around the perimeter of their ownership. The Town of South Pasadena requested the bulkhead line be set at the mean high water line, and after advertising, public hearings and the filing of written objections by Mr. Bacon's client, Pinellas County Authority did set the bulkhead line at the mean high water mark. Mr. Bacon said this meant that his client would be denied the use of all of their submerged land, and then application was filed with the Trustees for (1) issuance of construction permit to South Pasadena Development Corporation and (2) establishment of the bulkhead line around the perimeter of said firm's property.

Mr. Bacon understood the position of the Trustees' staff that Chapter 69-342 precluded any action by the Trustees other than setting the line at the high water line, but that act, he said, can be construed as taking his client's property, denying due process and equal protection of the law. Completing his presentation, Mr. Bacon asked Dr. Allen Loss, professional marine geologist employed by his client, to tell of his work to determine that nothing proposed to be done under the construction permit would violate the public interest. Dr. Loss gave a resume' of his findings and stated that with the right kind of engineering and slight modification of the proposed fill design, the circulation and quality of the water could be improved.

Mr. Christian pointed out that home owners would be cut off from the view of the bay and the staff recommended that the bulkhead line established by the county be approved.

Mr. Adams did not agree with a statement made that the sale of the submerged land carried with it a vested right to dredge and fill. The Director said that was the case in 1925 but under present law it was not, that the staff recommended the line be confirmed and the dredge and fill applications be returned which would then lie outside of the bulkhead line, that the language of the act creating Boca Ciega Bay Aquatic Preserve left no choice. He added that the aquatic preserves as established by the Trustees allowed for working out boundaries with land owners. Mr. Faircloth asked if the Board had a choice, and Mr. Bacon replied that in his opinion there was no choice, that the Legislature had directed the Trustees to do it. It was brought out that by making application to the Trustees, the applicant was completing the administrative efforts and if denied, litigation would then be entered into to protect its rights.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the bulkhead line as established by Pinellas County Water and Navigation Control Authority and directed that the applications for permits be returned.

Mr.Bacon requested an understanding that the return of the applications was in effect a denial, which Mr. Christian said was a part of his motion.

Representative A. S. "Jim" Robinson thanked the Trustees on behalf of the people of Pinellas County, a number of whom were present as proponents of the bulkhead line, including Mayor Gordon W. Bradley and City Commissioners of the Town of South Pasadena, Pinellas County Attorney John Blue, Representative Archie Wilson, and interested citizens.

PUTNAM COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Putnam County by resolution adopted November 4, 1969, located and established a bulkhead line in the St. Johns River at Rice Creek in Section 37, Township 9 South, Range 26 East, Putnam County. All required exhibits were furnished and there were no objections at the local hearing.

The biological survey report stated that the area of proposed development for the Putnam County Barge Port had been affected by paper mill pollution and there should be no significant adverse effects on marine or aquatic life in the area.

On motion by Mr. Adams, seconded by Mr. Conner and adopted, the Trustees approved the bulkhead line as established by Putnam County.

SANTA ROSA COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The City Council of the City of Gulf Breeze by resolution adopted on October 20, 1969, located and established a bulkhead line in Pensacola Bay west of the New Pensacola Bay Bridge on State Road No. 30, in Section 5, Township 3 South, Range 29 West, Santa Rosa County. All required exhibits were furnished and there were no objections at the local hearing.

The biological survey report indicated no significant adverse effects on marine life, but that care should be taken to prevent siltation.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees approved the bulkhead line as established by Santa Rosa County.

SANTA ROSA COUNTY - Fill Permit, Section 253.124 F. S.
The City of Gulf Breeze issued a fill permit, subject to Trustees' approval, to the Department of Transportation for material to be trucked in for a project in Section 5, Township 3 South, Range 29 West, Pensacola Bay, Santa Rosa County. The biological report was not adverse.

On motion by Mr. Adams, seconded by Mr.Dickinson and adopted, the Trustees approved the fill permit to the Department of Transportation.

DADE COUNTY - File No. 679-13-253.12.
At the request of the applicant, the Trustees deferred action on consideration of staff recommendation that an application from Richard B. Swanson for purchase of submerged bay bottom lands at Swan Key, Dade County, be denied and the file be deactivated.

DUVAL COUNTY - File No. 2070-16-253.12.
On motion by Mr. Williams, the Trustees deferred till December 16, 1969, consideration of an application from Leo C. Burgman, et al, to purchase 0.6 acre of sovereignty land in the St.Johns River in Duval County.

LEE COUNTY - File No. 2202-36-253.12, Land Sale.
On October 21, 1969, the Trustees authorized advertisement for objections only of proposed sale to Sunset Realty of two parcels of sovereignty land embracing 0.58 acre in Boca Grande Yacht Basin abutting Lots 17 through 34, Lots 36 through 65, andLot 74, Block 24, Addition to Boca Grande, Plat Book 8, Page 48, public records of Lee County, lying in Sections 13 and 14, Township 43 South, Range 20 East, Gasparilla Island, Lee County, valued at $9,650.00 per acre. Notice of sale was published in the Fort Myers News, proof of publication filed and no objection received.

Applicant offered $5,597.00 for the land for real estate development of water front lots. The biological report stated that establishment and subsequent development within the bulkhead line would probably have no adverse effects upon marine resources of the area. The Interagency Advisory Committee had reaffirmed the bulkhead line location. The Trustees had considered the application under the hardship provision of the July 1st policy.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted, that sale of the advertised land be confirmed at the price offered.

LEE COUNTY - File No. 2202-36-253.123 and 253.124,
Dredge and Fill Permits.
In conjunction with the foregoing sale, applicant had applied for a dredge permit under Chapter 253.123 and approval of a fill permit issued under Chapter 253.124 on May 28, 1969, by the Board of County Commissioners of Lee County. Applicant proposed to dredge 1,608 cubic yards of material from Boca Grande Yacht Basin and fill 0.58 acre of sovereignty land purchased from the Trustees. Payment for the dredge material had been received.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit and approved the fill permit issued by Lee County.

LEE COUNTY - File No. 2201-36-253.12, Land Sale.
On October 21, 1969, the Trustees authorized advertisement for objections only of a proposed sale of 0.015 acre parcel of sovereignty land in Boca Grande Yacht Basin abutting Lot 35, Block 24 of Addition to Boca Grande, Plat Book 8, Page 48, public records of Lee County, lying in Section 14, Township 43 South, Range 20 East, Gasparilla Island, Lee County. Wyman M. Miller had offered $144.75 for the small parcel, valued at the rate of $9,650.00 per acre, lying within the area in the Sunset Realty Corp. application (see preceding sale). Notice of sale was published in the Fort Myers News, proof of publication filed, and no objection received.

The biological report was not adverse, the Interagency Advisory Committee reaffirmed the bulkhead line, and the Trustees considered the application under the hardship policy of July 1st.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees confirmed sale of the advertised parcel to

Mr. Miller at the price offered.

ST. JOHNS COUNTY - File No. 2260-55-253.12, Application to Purchase. St. Augustine Beach South Corporation, represented by E. W. Pacetti, applied to purchase a parcel of sovereignty land embracing 3.6 acres in the Matanzas River abutting Section 27, Township 8 South, Range 30 East, St. Johns County. Applicant offered $720.00 per acre. The staff had ordered an appraisal.

The biological report dated June 30, 1969, submitted for the bulkhead line, was not adverse, showing that the alignment would preserve a large area of productive marine habitat.

The County Attorney by letter dated May 15, 1969, assured the staff that the Interagency Advisory Committee recommendations would be considered when the county established bulkhead lines. Only one other bulkhead line had been established in the county. The application conformed to the July 1st policy of the Trustees and staff recommended advertisement.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees authorized advertisement of the land for objections only.

DADE COUNTY - Fill Permit, Section 253.124 Florida Statutes. The Department of Transportation requested approval of fill permit issued by the City of Miami on November 5, 1969, in connection with construction of 79th Street Causeway (SR 828). Land to be filled was conveyed to Dade County by Deed No. 18251 dated July 31, 1934, was within the established bulkhead line, no dredging was contemplated, and the biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the fill permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Pinellas County Water and Navigation Control Authority approved one-year extension, subject to Trustees' approval, of Permit No. DO-158 to The Belleview Biltmore Hotel. Trustees had approved a two-year permit for the project on October 24, 1967. The biological survey report was not adverse, and staff recommended approval of the extension.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved extension of permit for one year.

DADE COUNTY - Dock Permits, Section 253.03 Florida Statutes. On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of four state commercial dock permits for which all exhibits and $100 processing fee had been submitted by the following applicants:

1. Biscayne Bay Yacht Club, by John F. Michel, for addition to an existing marina in Biscayne Bay in Section 22, Township 54 South, Range 41 East, Dade County;

2. City of Miami Beach, by John Bergacker, Director of Public Works, for a marina in Biscayne Bay in Section 3, Township 43 South, Range 42 East, Dade County;

3. Mike Gordon's Seafood Restaurant, by William Markley of Dock and Marine Construction Corp., for a marina in Biscayne Bay in Section 8, Township 53 South, Range 42 East, Dade County;

4. Bedan, Inc., Robert V. Celette, President, for a dock in Section 11, Township 53 South, Range 42 East, in Indian Creek, Dade County.

MANATEE COUNTY - Dedication.
The National Audubon Society through Mr. Myron G. Gibbons of Tampa, Florida, requested dedication of sovereignty land within 400 feet embracing Bird Key in Terra Ceia Bay in Township 34 South, Range 17 East, Manatee County. The present upland owner of Bird Key contemplated donating it to the Society as a bird sanctuary and the appurtenant submerged land was desired as a buffer zone to be utilized in management of the sanctuary.

Staff recommended that the Trustees agree to issue a dedication committing sovereignty lands to be used as a bird sanctuary under the supervision and management of the Audubon Society provided, however, that if said upland donor fails to convey the island within sixty days, the Trustees' action will be voided automatically.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees accepted the staff recommendation as stated above.

MANATEE COUNTY - FileNo. 2257-41-253.03, Rededication.
On October 28, 1969, the Trustees deferred action on the request by the City of Palmetto for dedication for a period of thirty years of 11.84 acres of sovereignty land in the Manatee River abutting Section 23, Township 34 South, Range 17 East, Manatee County. The area was originally dedicated under Instrument Nos. 23100 and 23100A and authority was requested to issue dedication containing public purpose and non-use reverter covenant. On September 9 the Trustees had authorized advertisement for objections and several were filed. Deferment was to allow opportunity to resolve the objections, which had not been accomplished.

Staff recommended approval of rededication with an additional restrictive covenant to provide for Trustees' approval of any proposed lease agreement between the City of Palmetto and any prospective lessee.

Mr. Williams made a motion that the Trustees approve the staff recommendation. Mr. Apthorp said there were persons present who would like to be heard, but in the opinion of the staff the proper time for discussion of development plans would be when the bulkhead line and dredge and fill applications were considered. Approval of rededication would allow the city opportunity to seek financing and work out plans for development.

Mr. John P. Harlee, attorney representing a group of upland owners, requested deferment until a solution was reached on a local level by a local committee formed to work with the city in an effort to reach an agreement. His clients agreed to abide by the decision of the committee appointed by Mayor Gordon Alderman.

City Attorney John Blue pointed out that the land had been dedicated for some time, the city had a pier there and a number of years had been planning further development but needed to attract private

capital to proceed, that the rededication would be the first step. Mr. Blue said that over a hundred appeared at the local public hearing and only four families offered objections. Assurance had been given that the plans when developed would be presented to the committee for approval. Mr. Blue and the Mayor expressed willingness to accept a suggestion by Mr. Christian for Trustees' approval subject to any dredge and fill permit depending on an agreement between the interested parties that would be satisfactory to the said committee. Governor Kirk added that no committee decision would be binding on the Board, however.

Mr. Williams amended his motion for approval of rededication as recommended by the staff to include that any plan of development would be subject to approval by the Board. Mr. Christian seconded the motion which was adopted.

DADE COUNTY - File No. "Dedication 22822(362-13)", Extension of St. Gaudens Road.

J. Bruce Vining had requested to be heard on a request that the Trustees revoke a street extension dedication previously granted to the City of Miami over sovereignty land between the mean high water line of Biscayne Bay and the established bulkhead line. City Attorney S. R. Sterbens was present in opposition. The staff had been unable to resolve the situation.

Mr. Vining said that in 8½ years the city had not used the dedicated area as a street, that the dedication might influence some pending litigation involving four parties, that since it was not a street in fact, the dedication should be revoked.

Mr. Sterbens said the city took the position that the dedication should remain, that any change now would affect the litigation involving abutting owners on each side of the road going down to the water's edge which the city would do its best to put in when certain matters have been resolved.

The dedication was in existence when the litigation was instituted, and there was discussion about the effect of any change of conditions at this time.

Motion was made by Mr. Christian, seconded by Mr. Faircloth and adopted, with Mr.Dickinson abstaining from voting, that the Trustees take no action on the request for revocation of the dedication.

MONROE COUNTY - Quitclaim Deed, Section 253.12(6) Florida Statutes. File No. 2282-44-253.12(6)

William Simone and wife, represented by Fred A. Bee, requested issuance of quitclaim deed to a parcel of sovereignty land containing 0.19 acre filled prior to June 11, 1957, abutting Lot 15 Atlantic Shores Subdivision according to plat recorded in Plat Book 3, page 5, of public records of Monroe County, in Section 12, Township 66 South, Range 32 East, Monroe County.

Under provisions of Section 253.12(6), it was mandatory to convey sovereignty lands filled prior to June 11, 1957, for the appraised value of such lands prior to filling. A parcel of submerged land sold by the Trustees in April 1960 (Deed 22453-588-44) immediately adjacent to the land under consideration was valued at $250.00 per acre. Staff recommended a minimum consideration of $100.00.

On motion by Mr. Christian, seconded by Mr.Adams and adopted, the

Trustees authorized issuance of quitclaim deed for the minimum consideration of $100.00.

SANTA ROSA COUNTY - Easement, Institution Lands.
On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees authorized issuance of an easement requested by the Department of Transportation over 1.54 acres of land in Sections 23, 24 and 26, Township 4 North, Range 27 West, Santa Rosa County, in use by the Division of Forestry, required for construction and improvement of State Road No. 191. The Department of Agriculture and Consumer Services had reviewed and approved the easement.

MARION COUNTY - Lease, Institution Lands.
The 1969 Legislature by passage of Chapter 69-291 established a Light Horse Unit for horse research in the Institute of Food and Agricultural Sciences of the University of Florida, to be in Marion County on approximately 320 acres to be donated to the University by the Division of Corrections.

The Department of Health and Rehabilitative Services advised that Lots 34, 35, 40 through 45, of Martin's Land Subdivision, containing 306.86 acres, had been designated the land to be transferred to the Board of Education for use and benefit of the University of Florida for the light horse research facility. The land was located at Florida Correctional Institution, Male Unit at Lowell.

On motion by Mr. Christian, seconded and adopted without objection, the Trustees authorized issuance of lease to the Board of Education for ninety-nine years or as long as the land was used for the purposes set forth in Chapter 69-291.

The Director advised that he would submit a report to the members on the erosion problem at Golden Beach in Dade County.

MONROE COUNTY - Summerland Key Litigation.
Discussion of the Summerland Key Cove, Inc., litigation, deferred last week in the absence of two members, was brought up by Mr. Adams on whose motion, seconded by Mr. Dickinson and adopted, the rules were waived for consideration of a matter not on the agenda.

Mr. Faircloth had transmitted to each member a copy of the final order of Judge Hugh Taylor in Case No. 68-1036 in Circuit Court of the Second Judicial Circuit in Leon County, which "Ordered and Adjudged: 1. There is no real issue of fact essential to a determination of the rights of the parties. 2. Plaintiffs are entitled to a summary judgment. 3. It is the legal duty of the Trustees of the Internal Improvement Fund of Florida to execute and deliver to Summerland Key Cove, Inc., a deed to the lands, the subject of this litigation. 4. This court reserves jurisdiction of this case for a period of 30 days for the purpose of granting supplementary relief if it should become necessary."

Also quoted from the court order for the purpose of clarifying these minutes: "This case then is thus reduced to the single question: When a riparian owner by mistaken belief of right dredges and fills lands which are, in fact, sovereignty bottoms, do the Trustees of the Internal Improvement Fund have a legal right to sell such lands to the riparian owner at a reasonable price for such lands in their undeveloped state or are the Trustees legally obligated to assert title to the lands in their improved state without compensating the upland owner for his expenditions in

improving the land?"

Mr. Adams reviewed what took place a year ago, the Trustees' decision on October 15, 1968, to sell 44.4 acres of sovereignty land to Summerland Key Cove, Inc. (Toppino brothers) which he on October 22 had objected to, had cited certain inaccuracies in the Attorney General's report, and had employed counsel and pleaded separately in the lawsuit. Mr. Adams said as he interpreted the judge's opinion it was that the Trustees had made a decision on October 15 and while the judge recognized there were certain inaccuracies in statements made on October 22, the judge was not going to purify the quality of the Trustees' decision made on October 15 which had not been rescinded, that there was no provable fraud that the court could determine in the action of Toppino, and the Trustees were obligated to consummate the sale. Mr. Adams was not agreeable to issuing the deed and had two motions to propose.

Mr. Christian objected that it would be violating the judge's order, and to assess the three times penalty charge would be retroactive since that penalty policy was set after the sale. Mr. Christian made a motion, seconded by Mr. Faircloth, that the Trustees adhere to the court order and issue the deed in accordance with the judgment of the court.

Mr. Adams said the Board had made a bad decision on October 15 and the public interest would be jeopardized. Governor Kirk agreed and asked Mr. Conner to preside.

Mr. Adams then made a substitute motion, seconded by the Governor, that the sale be rescinded. Ayes on the substitute motion were recorded for Mr. Adams and Governor Kirk. As all other members voted "No", the motion failed.

Mr.Adams then made another substitute motion, seconded by the Governor, that Mr. Toppino be charged the penalty amount of three times the appraised price. As only the Governor and Mr. Adams voted "Aye", that substitute motion failed.

The original motion by Mr. Christian, seconded by Mr.Faircloth, that the Board adhere to the court order and issue the deed, passed with Mr. Adams and Governor Kirk voting "No."

Mr. Adams reiterated that the Board had made a bad decision on October 15, based on a fact situation which contained inaccuracies, and by issuing a deed to a person who had trespassed, the sovereign rights were placed in jeopardy. Mr. Faircloth replied that the opinion of the court was not predicated upon any mistake and such statements were misleading, he felt the legal principle was clear, that disparity between value in the submerged condition and present value was not a relevant factor. Governor Kirk said the Board had made a bad philosophical decision, and the court's retaining jurisdiction thirty days was discussed. Mr. Christian said he did not think the Board had acted unwisely, that a decision was made to sell on what they thought was a survey of the property and a price agreed upon, all of which was contained in the court record which had upheld the decision. Mr. Williams also thought the opinion of the Attorney General and the ruling of the court should be followed.

Mr. Herbert Benn, Assistant Attorney General, said the court had stated with finality that there was no evidence of fraud practiced by Toppino on the Trustees nor proof of false representation of facts or concealment of true facts, that the Trustees and their

representatives in dealing with Toppino had acted in good faith in suggesting the settlement, and that conceivably the Trustees could be held in contempt if they did not issue the deed. He read portions of the court order and said the record should be correct for the public to understand what the issue was about.

Mr. Joe Jacobs asked to be allowed to point out that the land had been sold to Mr. Toppino not on the basis of $425 per acre ($325 appraisal plus $100 penalty) but on the basis of $425 per acre or the value placed on it by an independent appraiser, whichever was higher, and the Trustees' staff had hired a surveyor to survey the land.

SUBJECTS UNDER CHAPTER 18296

DUVAL COUNTY - Murphy Act Land.
The Trustees were requested by Congressman Charles E. Bennett to adopt a resolution in connection with House Bill 12424, "To authorize the establishment of the Revolution's Southernmost Battlefields National Park in the State of Florida." The proposed national park area was bounded generally on the north by the Nassau River, on the east by Interstate Highway 95, and on the west by Thomas Creek. Within this boundary was located approximately 713.4 acres of land owned by the State of Florida under the Murphy Act. Staff recommended that the state land be withdrawn from sale to cooperate and assist in establishment of the park.

On motion by Mr. Williams, seconded by Mr. Adams and carried, the Trustees adopted the following resolution.

RESOLUTION

WHEREAS, Congressman Charles E. Bennett, Representative from the 3rd Congressional District of Florida, did on June 25, 1969, introduce House Bill 12424 in the 91st Congress, to authorize the establishment of the Revolution's Southernmost Battlefields National Park in the State of Florida, and

WHEREAS, Congressman Bennett has requested the State of Florida to assist in the establishment of this proposed historic park by making available certain land, title to which is vested in the State of Florida by virtue of Chapter 18296, Acts of 1937, (Murphy Act), which lies within the proposed park site in Duval County, and

NOW THEREFORE BE IT RESOLVED that the State of Florida Board of Trustees of the Internal Improvement Trust Fund does hereby withdraw from sale the following described land: Lot 8, Section 24; Lots 1, 6 through 11, Section 25 and Lots 2, 3, 5 through 8 in Section 36, Township 2 North, Range 26 East, Tallahassee meridian, containing 713.40 acres, more or less, in order to cooperate and assist in the establishment of the proposed National Park which area will be bounded generally on the north by the Nassau River, on the east by Interstate Highway 95 and on the west by Thomas Creek.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

12-2-69

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * *

Tallahassee, Florida
December 9, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in the Governor's Office, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T.Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Without objection, the minutes of December 2 were approved as submitted.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the minutes of November 25 were corrected by the omission of a refund of $15 to Willes, Bittan and Griffin, whose check had been returned and no refund was required.

DUVAL COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.

The City Council of Jacksonville, Florida, by ordinance adopted on September 4, 1969, located and established a bulkhead line along the line of mean high water on the south side of the St. Johns River adjacent to the Andrew Adkinson Grant in Section 47, Township 1 South, Range 28 East, Duval County. All required exhibits had been furnished, there were no objections at the local hearing, and the biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Conner and adopted, the Trustees approved the bulkhead line as established by the city.

PALM BEACH COUNTY - File No. 2032-50-253.12, Application for Advertisement.

Frank L. Lash and wife, represented by Brockway, Owen and Anderson, applied to purchase a parcel of sovereignty land containing 0.701 acre in Lake Worth abutting Section 3, Township 43 South, Range 43 East, in the City of West Palm Beach, Palm Beach County. Offer of $3,425.00 was made for the parcel which was appraised at $4,885.88 per acre.

The biological survey report dated November 10, 1969 was not adverse, stating that sale and development of the subject submerged land by itself should not have significant adverse effects on marine biological resources in the area.

The Interagency Advisory Committee had reaffirmed location of the bulkhead line. The Area Planning Board did not object to the application.

Mr. Apthorp said the matter was before the Trustees in September and was deferred for securing an updated appraisal and biological report. An objection had been received prior to advertisement.

On motion by Mr. Christian, duly adopted, the Trustees authorized advertisement of the parcel for objections only.

DADE COUNTY - File No. 2200-13-253.12, Refund, Deactivate File. Richard E. Danielson, Jr., represented by Charles P. Sacher, had withdrawn his application to purchase a 1.92 acre parcel of sovereignty land in Biscayne Bay abutting a portion of Tract 1-Y Vizcaya, Plat Book 80, page 16, lying in Section 40, Township 54 South, Range 41 East, Dade County.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized refund of $50.00 of the application fee to applicant and deactivation of the file.

BREVARD COUNTY - Dedication to NASA.
The United States Department of the Army, Corps of Engineers, requested dedication to National Aeronautical and Space Administration (Kennedy Space Center) of 1,255.4 acres of swamp and overflow land in Township 20 South, Range 36 East, and Township 21 South, Range 37 East, Brevard County, for primary use in connection with the space program and related purposes, and for secondary use as a wildlife refuge or for public park and recreation purposes. Sovereignty lands were dedicated for the above purposes by Dedications No. 23151 dated July 31, 1962, and No. 23151A dated March 2, 1965.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, the Trustees granted the request for dedication of the 1,255.4 acres of swamp and overflow land for said uses.

SHELL LEASE REPORTS - The Trustees accepted for the record the reports for October and November showing the following remittances to Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 7,568.74
1718	Radcliff Materials, Inc.	10,853.25
1788	Benton and Company, Inc.	18,429.29
1788	Benton and Company, Inc.	20,766.17
2233	Bay Dredging and Construction Co.	8,071.73
2233	Bay Dredging and Construction Co.	7,493.36

PINELLAS COUNTY - Permit Extension, City of Dunedin, Honeymoon Island Project, Corps of Engineers Permit 59-277.
Mayor Gerald S. Rehm of the City of Dunedin requested that the Trustees offer no objection to 90-day extension of SAKSP (59-277) permit that would expire on December 31, 1969. A number of conferences had been held with interested state agencies, city and county representatives, and Caladesi Corporation, in an attempt to arrive at satisfactory solution relative to the massive dredging project. It had been agreed at staff level that modification of the plan was essential and the developer was prepared to modify

the overall plan. However, such modification could not be completed before the permit expired and 90-day extension would provide time for interested parties to review the modified plans.

On motion by Mr. Adams, seconded by Mr. Conner and adopted, the Trustees approved staff recommendation that no objection be registered to the request for 90-day extension provided however, that the developer and the City of Dunedin submit modified plans of development for review by Trustees, Department of Natural Resources, and Pinellas County Water and Navigation Control Authority, during the 90-day period.

CITRUS COUNTY - Dredge Permit, Section 253.123 - File 408.
Frank K. Schoenfeld, represented by Allen F. Kisinger, applied for permit to dredge a navigation channel 30 feet wide, 160 feet long and 3 feet deep in Crystal Bay, Citrus County. The material removed would be placed on upland property of the applicant. The biological survey was not adverse.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the application for dredge permit to improve navigation.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123, Maintenance Dredging.
The United States Department of the Navy, Naval Air Station at Pensacola, Florida, applied for permission for maintenance dredging in its turning basin in Pensacola Bay adjacent to Pier 303 in Big Lagoon adjacent to Pier 1889 in Escambia County. The material removed would be placed on applicant's upland.

Staff requested waiver of biological report as provided in Section 253.123(3)(a).

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees waived the biological report and authorized issuance of the dredge permit to improve navigation.

MONROE COUNTY - Dredge Permit, Section 253.03 - File 132.
Sunrise Realty Company, represented by James T. Glass, applied for a permit authorizing a channel connection to Florida Bay in Section 5, Township 63 South, Range 38 East, Monroe County. All material removed would be placed on applicant's upland property. The biological report was adverse. Staff recommended approval, to improve navigation.

On motion by Mr. Conner, duly adopted, the Trustees authorized issuance of the dredge permit to the applicant.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes.
Mayor Delbert L. Layton of the City of Layton in Monroe County applied for after-the-fact permit to dredge a boat basin on purchased submerged land, and a standard navigation channel extending from the boat basin across purchased submerged land projecting about 300 feet into state-owned lands in Section 33, Township 64 South, Range 35 East, Florida Bay. Material removed would be placed on purchased submerged land, and applicant tendered check for $300.00 in payment. The application was on the agenda on February 18 and 25 but was removed due to questions arising from certain unrelated litigation.

The biological report was adverse but stated that the channel would provide access to navigable waters. Staff recommended approval of the dredging to improve navigation.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved permit for the $300.00 penalty payment.

SARASOTA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Sarasota County approved the application of W. A. Davis for Minor Work Permit No. 70-8, subject to Trustees' approval for maintenance dredging in Holiday Harbour in Section 28, Township 37 South, Range 18 East, Sarasota County. Material would be placed on upland. The biological report was adverse. Staff recommended approval, as the project would accommodate navigation needs.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted, the Trustees approved the dredge permit to improve navigation.

SARASOTA COUNTY - Dredge Permit, Section 253.123 - File 394. Herbert P. Field, represented by Richard W. Cooney, received a permit from the Town of Longboat Key, subject to Trustees' approval, to dredge a navigation channel in Section 6, Township 36 South, Range 17 East, in Buttonwood Bayou in Sarasota County. Applicant tendered $222.80 for the overdredge material. All material would be placed on upland, and the biological report was not adverse.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge permit to improve navigation.

PINELLAS COUNTY - Dredge Permit, Section 253.03 Florida Statutes. George Hunt, represented by Ed S. Whitson, applied for permission to dredge 12,000 cubic yards of material from Lake Tarpon in Section 16, Township 27 South, Range 16 East, Pinellas County. Applicant tendered check for $1,200 as payment for the material, which would be placed on his upland property.

The Southwest Florida Water Management District had issued a dredge permit for the project.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit.

PUTNAM COUNTY - Report on Swan Lake had been submitted to each of the Trustees. On May 13 the Board had directed that a full investigation be made of all of Swan Lake. Mr. Apthorp said from the staff approach there were three alternatives, and recommendations would be presented next week for consideration.

Secretary of State Tom Adams noted that the report had suggested that where trespass had taken place, the Trustees possibly could take over portions of the trespassed-upon bottoms as public lands. He said the Trustees should maintain a consistent position and be most objective, but had discretion to decide varying degrees of trespass. He called attention to the policies adopted on July 1, 1969, including the following:

> "Unless otherwise provided by law, it is the policy of the Trustees of the Internal Improvement Trust Fund, in those cases where the Board chooses, to sell state-owned sovereignty land

that has been filled without authority, that the sale price be three times the value of the land in its filled condition without regard to the price spent on improvements, the price to be determined by a valid current appraisal unless the obtaining of a current appraisal would not be economically feasible. In those situations where the obtaining of an appraisal would not be economically feasible, the Director is directed to make the best estimate of a value and to recommend this price to the Board."

Mr. Adams pointed out that the judge had said that where an upland owner without intended fraud filled submerged bottoms, the state had some obligation to sell at submerged land prices. He did not want to bring up again the case discussed last week (Summerland Key Cove, Inc. litigation) except that the Board should try to be most objective and certainly consistent. The Director did not think there was a conflict in the state's position but would explore that and make a report. He said in some instances there might not be a potential state use for property filled without authority. Mr. Christian commented that he saw no conflict and as he saw it the two cases were not in the same category. The Governor said it should be examined in the light of Mr. Adams' comments.

DUVAL, SARASOTA, PINELLAS COUNTIES - Dock Permits, Section 253.03. On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees authorized issuance of four state commercial dock permits for which all exhibits and $100 processing fee had been submitted by the following applicants:

1. Duval County. Mat Roland, for a permit to revise state commercial dock permit 1483 issued August 5, 1969, for a dock in the St. Johns River in Township 1 South, Range 29 East.

2. Sarasota County. Big Pass, Inc., for a dock in the Gulf of Mexico at Siesta Key in Section 2, Township 37 South, Range 17 East, approved by Sarasota County for Minor Work Permit No. 70-13 subject to Trustees' approval.

3. Pinellas County. Water and Navigation Control Authority issued dock permits, subject to Trustees'approval, to

   (1) Carlton Arms Apts., for a dock in Tampa Bay in Section 11, Township 32 South, Range 16 East; and

   (2) Paul and Jerome S. Fletcher, LaCosta Brava Apts., for 6 docks in Boca Ciega Bay in Section 24, Township 31 South, Range 15 East.

PASCO COUNTY - Applications for Offshore Campsites.
An investigation of structures offshore from Pasco County in the Gulf of Mexico conducted by the Department of Natural Resources revealed that at one time approximately fifteen small frame houses were in existence on stilts in use for campsite purposes, all without authority from the Trustees. As a result of Hurricane Gladys in 1968, the structures were demolished to the extent that only pilings remained except for three which were severely damaged. Many of the owners had contacted the staff indicating their desire to repair and rebuild and had made formal applications for private campsite leases similar to the leases in effect in Biscayne Bay south of Cape Florida, Dade County.

Staff recommended issuance of a campsite lease for private purposes only to those filing applications containing necessary maps and data evidencing having had structures in existence prior to Hurricane Gladys. Lease terms would include 90-day cancellation clause, annual rental of $100 for 1-year term with option to renew on a year-to-year basis for an additional 4 years. Lease would be subject to all applicable laws and regulations.

Mr. Christian made a motion for approval of the staff recommendation.

Mr. Williams objected that they were unsightly, did not contribute anything but pollution to the waters, he did not want to see the number of stilt houses increase but rather there should be a policy of phasing them all out. Mr. Conner noted that the present policy was to allow no new stilt houses.

Mr. Williams made a substitute motion that the owners of destroyed or abandoned stilt houses not be allowed to rebuild. He added to the motion that the staff should study and bring back a proposed policy for phasing out all stilt houses. Mr. Adams seconded the motion.

Mr. Christian felt that these were hardship cases where they had invested in campsites for fishing or weekend use, they were not new structures, that since the Trustees very recently had allowed such structures to be rebuilt and placed under lease in Dade County the same should be done for these on the west coast. Mr. Adams said the damage had not been as great in Biscayne Bay, that it had been a case of trespass and no money being collected and provision was made to make them obtain leases, and he understood there were similar instances in the Keys. Mr. Conner said if they were causing any problem the leases could be cancelled, that if all were to be phased out he would vote for it, but there should be one set of rules for both coasts.

Mr. Apthorp said there appeared to be no problem from the campsites but possibly a proliferation would cause problems, that in keeping with the policy, the staff had recommended that the Trustees enter into lease for one-acre campsites upon submission of evidence of existence of a house prior to the hurricane, that the owners must also have permits from the Coast Guard and Corps of Engineers as to navigation.

Attorney General Faircloth said the Trustees had set a policy to give a lease where structures existed, that the discussion had raised some doubts in his mind about the Board's position which he would like an opportunity to study. Governor Kirk said that was a wise suggestion and without objection, action was postponed.

TRUSTEES FUNDS - At the request of the Attorney General, the action of the Board in approving use of Trustees funds for renovation at the Governor's Mansion and in the Capitol was re-agendaed.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees rescinded the action taken on November 4, 1969.

Asked to comment, Mr. Apthorp said the staff had recommended approval based on a general provision of the statutes authorizing the Trustees to administer state lands, but he had stated that use for renovation of buildings could use up the fund quickly.

Mr. Adams recalled previous uses of Trustees funds, said that some

clarification was needed. Mr. Faircloth made a motion, seconded by Mr. Christian, that the request for $27,587.00 be reconsidered. Governor Kirk said he would vote "No" and asked where such monies could be obtained. Mr. Faircloth said he had no quarrel with past policies or their legal basis, but he was trying to foster new policies whereunder the Trustees would not be land sale agents or the source of loans except on an emergency basis, that he would favor use of the $12,000.00 for the emergency repair work to the Mansion heating system but not funds for the work in the capitol which he did not consider an emergency.

Mr. Williams said the Legislature should be advised and that General Services should have a contingency fund to take care of maintenance of buildings. Mr. Apthorp said in his opinion there was not sufficient guidance in the law as to what Trustees funds could be used for.

On motion by Mr. Faircloth, seconded by Mr. Christian, to reconsider the use of Trustees funds for the work in the Capitol and in the Mansion, the vote was as follows: Ayes, Messrs. Faircloth, Williams, Christian and Conner; Nays, Messrs. Adams and Kirk.

Mr. Faircloth then made a motion that the amount of $12,000.00 be designated for use for emergency repairs for the Governor's Mansion. The motion was adopted without objection.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
December 16, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Without objection, the minutes of the December 9th meeting were approved.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees deferred action, as recommended by the staff upon request from Mr. Adrian Bacon, on consideration of a bulkhead line, Segment "No. 1", relocated along easterly and southerly limits of South Pasadena in Section 30, Township 31 South, Range 16 East, by resolution adopted on April 9, 1969, by the Pinellas County Water and Navigation Control Authority. The request was for deferral until January 20, 1970.

Mr. James R. Stewart, County Attorney of Pinellas County, was present not to object to deferment of Segment No. 1, which he said the people of South Pasadena had also wished deferred, but to ask that the Trustees reconsider the bulkhead line that was approved on November 25, 1969, when there were two bulkhead lines presented. As adopted by the Pinellas County Authority on April 9, 1969, one bulkhead line was Segment "No. 2", adjacent to and offshore from existing lands along the easterly limits of South Pasadena, and the other line extended a portion of Segment "No. 9" of the Pinellas County bulkhead line in Section 20, Township 31 South, Range 16 East. The county desired a rehearing, not to have the Trustees change their action but to make the record very clear that these matters were considered together, that the record of testimony from Pinellas County was considered as well as the testimony of Adrian Bacon. The Director said that the staff would bring that up also on January 20th.

DUVAL COUNTY - File Nos. 2211-16-253.12 and 2070-16-253.12. On recommendation of the staff, the Trustees deferred action on purchase applications from Georgia Industrial Realty Co. and Leo C. Burgman which were both advertised for consideration on this date, until the City of Jacksonville has submitted formal resolution outlining its objections.

MONROE COUNTY - File No. 2244-44-253.12, Land Sale, and Dredge and Fill Permits.
On November 4, 1969, the Trustees authorized advertisement for objections only of a 0.86 acre parcel of sovereignty land in Sugar Loaf Channel abutting Government Lot 1, Section 31, Township 66 South, Range 28 East, Cudjoe Key in Monroe County, for which the abutting upland owner, Vincent M. Drost, offered $1,750.00 per acre or $1,505.00 for the parcel.

Notice of sale was published in the Key West Citizen, proof of publication filed, and one objection was received after preparation of the agenda for this meeting. Staff recommended approval of the sale, since the applicant had changed his plans by placing the channel over his ownership so as to diminish adverse biological effects.

Applicant also applied for a permit to remove 9,722 cubic yards of material from an access channel to fill approximately 0.48 acre portion of the 0.86 acre parcel to be purchased, and tendered his check for $972.20 for the material. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees confirmed sale of the advertised parcel of submerged land and authorized issuance of the dredge and fill permits.

DADE COUNTY - File Nos. 2254-13-253.12, Application to Advertise. Alfred Aronovitz, attorney representing Lila M. Powers, applied to purchase a parcel of sovereignty land in Biscayne Bay abutting

Lot 12, Gifford & Highleyman's Subdivision of Lot 30, Block "B" Brickell's Addition, Plat Book 3, Page 38, public records of Dade County, containing 0.19 acre landward of the bulkhead line as confirmed by the Interagency Advisory Committee . The biological survey report dated October 2, 1969, for the parcel revealed it to be valuable to marine conservation.

The Director said it had developed that this was a hardship case, that the applicant owned an area adjacent to land previously conveyed and in order to sell she would have to acquire additional area to meet zoning requirements.

Mr. Dickinson said he would make a motion for advertising but the Board should not authorize advertisement unless the sale would be given consideration, that he would not vote for this step and then vote against it later on. Mr. Christian seconded the motion to advertise the parcel for objections.

Mr. Adams did not suggest holding up the matter but suggested the Board would like a brief report on the Dade County bulkhead line, noting that other applications had been held up because of the bulkhead line in the southern part of the county. Mr. Apthorp explained that aerial photography was flown last week, that the staff would study the photos and send to the county for action a line that the staff could recommend to the Trustees.

The motion by Mr. Dickinson, seconded by Mr. Christian, to advertise the parcel for objections only was adopted.

MARION COUNTY - Easement for Right of Way, File 2292-42-253.03, and Temporary Construction Easement.
The Canal Authority of the State of Florida by resolution adopted November 24, 1969, requested (1) easement to the Corps of Engineers for right of way of 12.0 acres, more or less, across bottoms of Withlacoochee River abutting Section 1, Township 17 South, Range 18 East, Marion County, for relocation of railroad bridge over Cross State Barge Canal; also easement across 4.41 acres, more or less, of bottoms of Blue Run abutting Section 30, Township 16 South, Range 19 East, to be used for said bridge relocation; and (2) temporary construction easement to the U. S. Government, Corps of Engineers, for a parcel of sovereignty land in Withlacoochee River abutting Section 1, Township 17 South, Range 18 East, Marion County.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement requested by the Canal Authority.

VOLUSIA COUNTY - File No. 2293-64-253.12(6), Quitclaim Deed.
James Van Houten and wife, represented by Samuel P. Bell, requested quitclaim to 0.13 acre parcel of sovereignty land in the Halifax River filled prior to June 11, 1957, abutting Lot 23, Riverview Subdivision, Addition No. 1, Plat Book 19, Page 210, public records of Volusia County. Under provisions of Section 253.12(6), sovereignty land filled prior to June 11, 1957, was required to be sold for the appraised value as the land existed prior to filling. A parcel of submerged land sold by the Trustees in October 1958 adjacent to subject land was valued at $300.00 per acre.

All required exhibits had been furnished and the staff recommended issuance of quitclaim deed.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the

Trustees authorized issuance of the quitclaim deed under provisions of the statute.

MONROE COUNTY - Dedication No. 24168.
Staff recommended termination, at the end of 60-day notice period, of a dedication by the Trustees on January 4, 1966, of a 23.48 acre tract of submerged land in the Straits of Florida lying south and westerly of Stock Island in Township 67 South, Range 25 East, to the City of Key West for expansion of the public power plant, and also a 150 ft. strip of submerged land along the easterly line of the said 23.48 acres and extending into the Straits of Florida to the five fathom contour (30 ft.) which when excavated to 30 ft. depth was to serve as an access channel to the plant site as well as an access channel for the riparian upland owners easterly thereof.

The dedication contained a reverter clause in the event the city for a period of three consecutive years failed to maintain and use the land for said purposes. The land remains in an undisturbed state, and hasn't been used for the purpose for which dedicated. Notice by registered mail had been given by the staff pursuant to the dedication.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized termination of the dedication at the end of the 60-day period.

CHARLOTTE COUNTY - Bridge Permit.
The staff had no recommendation on the agenda on this date but representatives for Venture Out in America, Inc., desired to be heard by the Trustees relative to the subject of issuance of bridge permits to construct two bridges connecting Whidden Key with Peterson Island, and Peterson Island with lower Manasota Key. Development of the privately owned islands and access bridges were opposed by many in the Englewood area, whose objections were presented on this date by Mr.John Hathaway, an attorney. Mr. Dewey A. Dye, Jr., attorney, and Mr. Hazen Kreis, president of the applicant company, made presentations on behalf of the application for permit for the bridges to provide access to the privately-owned islands for which the firm had purchase contracts.

Mr. Apthorp explained that the staff had held the application for some time but felt that local and navigation requirements should be met before the Trustees acted, that the Coast Guard had now approved the bridge building but there was considerable controversy at the county level regarding zoning. A favorable recommendation by the staff last week was not placed on the agenda because of information received that the county was reconsidering its zoning and future use of the property. It was brought out in the discussion that the County Commission had approved the project, but that there was opposition from subsequently elected County Commissioners.

Mr. Adams felt that granting access from the mainland to island upland, and then to another island, was hardly different from granting navigation channels to provide access to an owner's upland. He appreciated the concern regarding local differences and suggested that whatever action might be taken could be construed either way in the controversy, but the Trustees should not become involved in the zoning and should make it clear that any action they took was no endorsement of zoning but simply to allow access to the upland over sovereignty submerged bottoms.

Mr. Christian agreed that access should be granted to upland property, understood that owners were reluctant to proceed with engineering plans until they were assured access, and in view of the already considerable delay and expense applicants had encountered he asked that a recommendation on the matter be brought back to the board soon.

Discussion brought out statements that the objection was to any change from the natural condition of the islands, that they were being considered for purchase as state parks although the purchase price would be large and they were not now on any priority list being considered for acquisition by the Division of Parks, that approval by the earlier County Commissioners and opposition by some elected later had made it difficult for the applicants, that the present County Commission had adopted a resolution against any fixed bridge, that the Coast Guard had approved the bridge plans, and that the Trustees had no recommendation from the staff.

Mr. Faircloth asked for a thorough staff report and made a motion, seconded by Mr. Williams, that action be deferred until there is a recommendation from the staff. The motion was adopted on a vote of five to two, with Mr. Adams and Mr. Christian voting "No."

DUVAL COUNTY - Dredge Permit, Section 253.123.
Jacksonville Port Authority applied for permission to dredge 1,000,000 cubic yards of material from the St. Johns River in Sections 53 and 54, Township 1 South, Range 27 East, Duval County. The removal of this material was approved on September 16, 1969, but sufficient material was not available in the authorized dredge area for use to further develop Talleyrand Docks and Terminals. Additional biological report was not required.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved the application.

HIGHLANDS COUNTY - Dredge Permit, Section 253.123-410,
To Improve Navigation.
Virgil H. Rucker applied for a permit to dredge a navigation channel 30 ft.wide by 6 ft. deep in Section 29, Township 35 South, Range 31 East in Lake Istokpoga, Highlands County. He tendered check for $270 as payment for the material to be placed on applicant's upland. Biological report was adverse, but the project will provide access to open water subject to normal stipulations as to dredging.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved the application.

LEE COUNTY - Dredge Permit, Section 253.123-418,
To Install Sewer Outfall Line.
Gulf American Corporation, represented by Earl M. Rader, applied for permit to dredge to install a sewer outfall line in the Caloosahatchee River in Section 33, Township 44 South, Range 24 East, Lee County. The biological report was not adverse, and the Department of Air and Water Pollution Control had no objection.

On motion by Mr. Williams, seconded by Mr.Christian and Mr. Conner, the Trustees approved the application.

MONROE COUNTY - Dredge Permit, Section 253.03-141, for Navigation.

Jerome Baker applied for permission to dredge a perimeter channel on submerged land previously purchased, and to dredge three connection channels in Pine Channel in Section 27, Township 66 South, Range 29 East, Monroe County. The material removed would be placed on submerged lands purchased and on upland. Applicant tendered check for $433.40 as payment for material from the three connection channels.

The biological report as it related to the applicant's property was adverse. Staff recommended approval of the permit, since only the three connection channels would be located on sovereignty land. Mr. Apthorp explained that there was an existing channel offshore about 40 ft. from the line of mean high water.

Mr. Williams had questions about the need for three channels. Mr. Apthorp said the staff had reviewed the application carefully, and the applicant had modified his plan as requested.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit to improve navigation.

PUTNAM COUNTY - Dredge Permit, Section 253.123-412, for Navigation. Robert L. Gibson applied for permission to dredge a channel connection to the St. Johns River in Section 39, Township 10 South, Range 27 East, Putnam County. All the material removed would be placed on upland. The biological report was not adverse subject to normal stipulations as to dredging.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved the application for dredging to improve navigation.

DADE COUNTY - Artificial Reef Permit.
Albert Pflueger, Jr., applied for permit to construct an artificial reef in the Atlantic Ocean, Dade County. The center of the site would be 25° 49' 34" N. Latitude, 80° 04' 54" W. Longitude, with a minimum clearance of 50 feet mean low water. The report from the Department of Natural Resources was favorable.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of the permit.

LEE COUNTY - Dock Permit (Channel Markers).
The Christian and Missionary Alliance Foundation, represented by Duane Hall and Associates, Inc., applied for permission to install channel markers adjacent to an existing channel in the Caloosahatchee River at Shell Point in Section 27, Township 45 South, Range 23 East, Lee County. All required exhibits and $100 processing fee were submitted for the permit.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved the application.

WALTON COUNTY - Dock Permit (Fishing Aids).
The Board of County Commissioners of Walton County applied for a permit authorizing the installation of 14 pile markers to reference the line of demarcation for fresh water and salt water fishing regulations near the mouth of the Choctawhatchee River extending between Wheeler Point and Point Washington in Choctawhatchee Bay.

The Department of Natural Resources would furnish and install the information signs on the piling. In view of the public nature of the project, staff requested waiver of the $100 processing fee.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of permit without charge.

HENDRY COUNTY - Application for Oil and Gas Lease.
The Trustees concurred in action taken on this date by the State Board of Education on the application from Mr. D. Wallace Fields, attorney representing a major oil company, for an oil and gas drilling lease of the reserved one-half interest of said Board in the SE¼ of NE¼ and S½ of Section 16, Township 43 South, Range 30 East, containing 360 surface acres (180 net mineral acres) in Hendry County. Mr. Fields' principal, owner of a lease from the land owner of the remaining one-half interest, offered annual rental of 50¢ per net mineral acre and one-eighth royalty for ten year primary term lease.

The Board of Education approved the staff recommendation and on motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees, pursuant to Section 4, Chapter 69-369, Laws of Florida, authorized advertisement for sealed bids, lease to be for five-year primary term with annual rental of $1.00 per net mineral acre, one-eighth royalty, and requirement that at least one test well be drilled every two and one-half years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is deeper. The bond required by law will be in the amount of $50,000.

DADE COUNTY - Commercial Sand Lease.
Des Rocher Sand Company requested 2-year renewal or extension of Commercial Sand Lease No. 2316 covering two small areas near Terminal Island and two areas 3,500 ft. southeasterly of Cape Florida in the Atlantic Ocean. Staff recommended a 90-day extension during which time an updated review of the royalty could be made.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized 90-day extension of the lease as recommended.

GLADES COUNTY - Grazing Lease.
On November 4, 1969, the Trustees, acting on a request for extension of Grazing Lease No. 2226 held by Ray D. Chamberlain and Grazing Lease No. 2237 held by T. M. Beck, extended each lease for 30 days while the staff prepared a report on the proper rent to be charged for the reclaimed lake bottom land in Lake Okeechobee.

An inspection was made by a staff member of the Field Operations Division with findings as follows:

> Lease 2226 - 83.35 acres, more or less, of which a portion has poor drainage and only marginal value as pasture land, and balance of tract good pasture with fair drainage. Three-fourths of tract under fence with some cross-fencing. Land not in use on date of inspection.
>
> Lease 2237 - 100 acres, more or less, at present in flood condition with vegetation consisting of lilies and water grass. Boundary lines fenced with no internal improvements. Present use as cattle pasture with some cattle grazing on date of inspection.

Staff recommended that each lease be extended for an additional three years at the same rental of $3 per acre.

On motion by Mr. Faircloth, seconded by Mr. Williams and Mr. Christian, the Trustees approved the staff recommendation.

LEON COUNTY - Road Right of Way.
The Board of County Commissioners of Leon County by resolution adopted December 9, 1969, requested an easement covering a small triangular parcel at the east end of Doyle Conner Boulevard in a part of the tract in Section 34, Township 1 North, Range 1 East, acquired from the United States for use by the Department of Agriculture and Consumer Services. The Department approved issuance of the easement needed to improve design characteristics of the intersection with the new Apalachee School access road.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the requested easement to Leon County.

TRUSTEES' ADMINISTRATIVE RULE CHANGES.
Staff requested authority to amend Trustees Rule No. 200-2.091, "Dredging trenches for installation of public utilities, pipelines, and similar uses" to provide for a processing fee for issuance of permits to applicants. Under provisions of Section 253.123(2)(b) Florida Statutes, permits for such works are required. The processing of such applications had increased costs of administration to a point where fees must be assessed to defray such costs.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized amendment of said rule to require a minimum processing fee of $100 effective immediately.

Also, staff requested authority to amend Trustees Rule No. 200-2.10(5), "Confirmation of title in upland owner" to provide for a processing fee for issuance of instruments of conveyance under the provisions of Section 253.12(6) Florida Statutes. Under said statute it is mandatory that the Trustees issue instruments and no application fee or processing fee was required heretofore.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized amendment of said rule to require a minimum processing fee of $100 for such applications.

TRUSTEES FUNDS - Professional Services. Authority was requested for the Executive Director to execute a contract on behalf of the Trustees with the surveying and engineering firm of Carl E. Johnson, Inc., and Duane Hall and Associates, both located in Fort Myers, for the purpose of locating original mean high water line of the North Bank of the Caloosahatchee River in the Cape Coral area. Also, in addition to the survey it is proposed that profiles of the river bottom will be made to determine the quantity of fill removed from state-owned sovereignty lands. Upon completion of the surveys, the staff will be in a position to evaluate the most recent proposal submitted by G. A. C. to settle the Gulf American dredging and filling matter in the Cape Coral area.

The cost of such surveys will amount to $16,000 for surveys executed by the Johnson firm and $17,700 for surveys executed by the Hall firm , for a total of $33,800. Staff requested that the Director be authorized to request an increase and release of funds in the

operating budget, other personal services account, in the stated amount.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized the Director to request the Division of Planning and Budget, Department of Administration, for an increase and release of funds in the operating budget, other personal services account, in the amount of $33,800 for payment of survey services.

On motion duly adopted, the Trustees' meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
December 23, 1969

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The minutes of the meeting of December 16th were approved as submitted.

LEE COUNTY - File No. 2118-36-253.12, Application for Advertisement.

H. W. Marsh and wife, represented by E. Mitchell Whaley, made application to purchase a parcel of sovereignty land embracing 0.2 acre in Ostego Bay abutting Section 29, Township 46 South, Range 24 East, in Lee County, landward of the established bulkhead line approved by the Trustees on January 23, 1968. Applicant offered $1,000 per acre, total offer of $200, for the land. In that same area other land had been appraised at $500 per acre, and staff felt that the valuation was fair.

The submerged land involved was not a grassy nursery or fishing ground and the biological report was not adverse. Applicant was a residential builder, needed the small parcel for material with which

to fill an abandoned drainage ditch, and staff recommended consideration of the application under the hardship policy.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized advertisement for objections only.

PUTNAM COUNTY - File No. 2279-54-253.03, 253.123 and 253.124.
Putnam County Port Authority requested a temporary spoil easement to expire on January 20, 1970, over lands that would be subject to a formal dedication to be presented to the Trustees for confirmation on that date. The Port Authority had set a target date of December 30, 1969, for acquiring all the necessary permits and other authorization. The sovereignty land to be filled embraced 21.15 acres of St. Johns River bottom abutting Section 37, Township 9 South, Range 26 East, Putnam County.

Also, staff requested authority to issue a dredge and fill permit in connection with the project. The biological report dated October 24, 1969, was not adverse.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the application for temporary spoil easement and dredge and fill permit.

MARTIN COUNTY - Emergency Construction.
Martin County was in the process of establishing a bulkhead line along Jensen Beach Causeway so that an eroded area might be restored. G. T. Slider, County Engineer-Administrator, applied for permission to install temporary protective devices to prevent further erosion of the south side of the causeway.

Staff requested waiver of biological study at this time as such a study would be obtained prior to the establishment of the bulkhead line.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that the emergency construction be approved.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes.
Fred P. Henning made application to construct a navigation channel 100 ft. wide, 30 ft. deep and 2,100 ft. long in Hawk Channel in Township 68 South, Range 25 East. Approximately 205,000 cubic yards of material would be excavated, 20,000 to be deposited on applicant's property and the remainder removed from the area. Applicant desired to pay for the material on a monthly basis at the standard yardage rate of 15¢ per cubic yard, as the balance of the material removed would be sold.

The Department of Natural Resources indicated that a portion of the area lying shoreward of the minus-six foot mean low water contour was prime nursery and feeding habitat, destruction of which would have definite adverse effects on marine resources of the area.

On recommention of the staff, the applicant reduced the channel from 200 to 100 ft. wide. Staff also recommended reduction of length from 5,000 to 2,100 ft. The original project involved about 23 acres; the revised project involved about 5 acres of submerged land. The channel as relocated would serve the navigation needs of neighboring owners.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit as recommended.

ESCAMBIA COUNTY - Dredge Permit, Section 253.123, File 409.
Gulf Power Company applied for permit to connect a water intake canal to Governors Bayou Section 25 (Grant), Township 1 North, Range 30 East, Escambia County. The intake water would be discharged through an existing canal until cooling towers were constructed.

The biological survey report was not adverse. The Department of Air and Water Pollution Control offered no objections.

On motion by Mr.Adams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the dredge permit.

MANATEE COUNTY - Dredge Permits, Section 253.123, Files 364, 365.
On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees authorized issuance of dredge permits for improvement of navigation in areas where the biological report was adverse but the small cut channels would minimize the damage, to the following:

1. O. M. and E. W. Griffith, represented by John B. Benson, Jr., for a channel 30 ft. wide, 5 ft. deep and 500 ft. long in Section 27, Township 34 South, Range 17 East, Manatee River.
2. George H. Harrison, represented by Mr. Benson, for a channel 30 ft. wide, 5 ft. deep and 400 ft. long in Section 28, Township 34 South, Range 17 East, Manatee River.

MONROE COUNTY - Dredge Permit, Section 253.03, File 112.
James T. Glass on behalf of William D. Sywetz applied for a permit to dredge a boat basin approximately 190 ft. long, 115 ft. wide and 25 ft. deep on previously purchased submerged land, and also to dredge a channel 50 ft. wide by 5 ft. deep in Section 23, Township 63 South, Range 37 East, Hawk Channel, Monroe County. Biological report was adverse but the applicant had revised his plan to comply with staff recommendations, and the material to be removed would be placed on the purchased submerged land.

Mr.Adams pointed out that here, as in other instances, the staff had obtained modification of applicant's original plan so that less state submerged land was used. Mr. Dickinson expressed approval.

On motion by Mr.Dickinson, seconded by Mr. Adams and adopted, the Trustees authorized issuance of the dredge permit to Mr. Sywetz.

SARASOTA COUNTY - Dredge Permit, Section 253.123, File 401.
William F. Bishop on behalf of Casey Key Water Association, applied for dredge permit to install 8-inch water main in Section 33, Township 18 South, Range 37 East, and Section 4, Township 18 South, Range 38 East, Midnight Pass in Sarasota County. Biological survey report indicated that the work would have limited adverse effects.

On motion by Mr. Christian, seconded and duly adopted, the Trustees approved issuance of the dredge permit.

MONROE COUNTY - Artificial Reef Permit.
Marathon Chamber of Commerce applied for permit to construct an artificial reef in Hawk Channel near Key Vaca at 24° 39' 36" N. Latitude, 81° 04' 41" W. Longitude.

The report from the Department of Natural Resources recommended that the permit be granted.

On motion by Mr. Adams, duly adopted, the Trustees authorized issuance of artificial reef permit for the usual $50 processing fee.

STATE DOCK PERMITS - Section 253.03 Florida Statutes.
On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the following five applications for state commercial dock permits:

1. ESCAMBIA COUNTY. Applicant, Maurice F. Walker, for a dock in Pensacola Bay adjacent to Lots 1 and 2, Block 172 of Maxent Tract in Pensacola. $100 processing fee paid.

2. ESCAMBIA COUNTY. Clyde Richbourg, applicant for a dock in Pensacola Bay adjacent to Lots 22 and 23, Block 172 of Maxent Tract in Pensacola, to replace an existing dock. $100 processing fee paid.

Letters of "no objection" had not been received for the above two applications, however the adjacent owners had existing commercial docks.

3. LAKE COUNTY. Florida Game and Fresh Water Fish Commission applied for permit to construct a public fishing pier on Lake Minneola in Clermont, Florida, in Section 24, Township 22 South, Range 25 East. The $100 fee was waived for this public facility. Approval was made contingent upon receipt of proof of upland ownership.

4. OKALOOSA COUNTY. Bayview Apartments, Inc., applicant for a dock in Garnier Bayou in Section 1, Township 2 South, Range 23 West, Okaloosa County. $100 processing fee was paid.

5. PINELLAS COUNTY. Galt Construction Co., Inc., applicant for a dock approved by Pinellas County Water and Navigation Control Authority at Lot 33 Pasadena Plaza, Section 30, Township 31 South, Range 16 East, Boca Ciega Bay, for use by condominium owners. $100 processing fee was paid.

HILLSBOROUGH COUNTY - Canal Easement.
The Southwest Florida Water Management District requested right of way over and across a portion of land owned by the Trustees and in use by the Department of Transportation as a maintenance yard. A 0.76 acre parcel was needed for part of the Tampa Bypass Canal project. The Department of Transportation approved the request.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees granted the request for right of way easement.

PINELLAS AND HILLSBOROUGH COUNTIES - Shell Lease.
Staff recommended approval of a modification agreement between the Trustees, Tampa Port Authority, and Benton and Company, Inc., with respect to Shell Lease No. 1788 dated February 1, 1962. The company had been unable to meet the minimum royalty payment required under the lease terms because of financial setbacks and management problems. An agreement had been negotiated with new management of the company whereby a penalty of 10% interest per annum would be paid on the approximate $40,000 past due royalty. It was the opinion of the Department of Natural Resources that the modification was in the best interest of the State of Florida.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved the modification agreement as recommended.

CLAY COUNTY - Easement for Road Right of Way.
On motion by Mr. Faircloth, seconded by Mr.Christian and adopted, the Trustees authorized issuance of an easement to the Department of Transportation covering 0.08 acre in Section 38, Township 5 South, Range 26 East, Clay County, needed for the construction and improvement of State Road 15.

The Division of Forestry, presently using the parcel, had reviewed and approved the right of way request.

CHARLOTTE COUNTY - Oil and Gas Lease.
Application had been received requesting the Trustees to offer for sale an oil and gas drilling lease covering all of the interest of the Game and Fresh Water Fish Commission in the lands comprising the Cecil Webb Wildlife Management Area. The Commission had reviewed the application and approved offering the land for lease pursuant to Chapter 69-369.

Staff recommended advertisement for sealed bids for a lease with 5-year primary term, annual rental of 50¢ per acre, 1/8 royalty and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is lower, and bond in the amount of $100,000 as required by law.

Dr. Robert Vernon, State Geologist, had reviewed and approved the above lease terms.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and Mr. Christian, and adopted, that the lease be advertised for bids as recommended by the staff.

TRUSTEES ADMINISTRATIVE RULES - On motion by Mr. Faircloth, seconded by Mr. Adams and adopted, the Trustees amended Administrative Rules and Regulations No. 200-2.05(11), "Application to purchase areas riparian to upland" and No. 200-2.051(7), "Application to purchase areas not riparian to upland", to provide for entire payment for biological surveys and an ecological study as required under the provisions of Section 253.12(7) Florida Statutes. As recommended by the staff, applicants shall tender a minimum of $100 by check payable to the Department of Natural Resources for the biological report, and also shall submit $75 application fee with each application - without provision for refund in the event the application should not be processed to the advertisement.

TRUSTEES FUNDS - Mapping.

1. Shoreline Mapping. Staff requested authority to continue the cooperative agreement dated April 18, 1969, with the United States Coast and Geodetic Survey for the shoreline mapping program. Expenditures of $125,000 to U. S. C. & G. S. on March 25, 1969, and $125,000 to the Board of Conservation on June 10, 1969, were approved for this program. Payment of $125,000 was due to the United States for the fiscal year 1969-70 if the program was to be continued, and Trustees' funds were available within the current operating budget for this expenditure. However, these funds had

not been requested for 1970-71. It was anticipated that the Department of Natural Resources would assume the cost in 1970-71.

2. Topographic Mapping. Staff also requested authority to continue the cooperative agreement with the United States Geological Survey and the Department of Transportation dated February 27, 1969, for the accelerated topographic mapping program. Funds for payment of $250,000 for 1969-70 were available in the Trustees' current operating budget. These funds had not been requested for 1970-71, as it was anticipated that the Department of Natural Resources would assume the cost in that year.

Motion was made by Mr. Faircloth, seconded by Mr. Conner and adopted, that the cooperative agreements for shoreline mapping and for topographic mapping be continued and Trustees' funds be used in the amount of $125,000 to the U. S. C. & G. S., and $250,000 to the U. S. G. S. for fiscal year 1969-70.

DADE COUNTY - Jet Port. Governor Kirk called attention to a telegram from the United States Secretary of Transportation John A. Volpe, copy of which was furnished to members of the Cabinet, which requested approval for the following language to be inserted in any agreement relative to the selection of a regional airport site in South Florida: "The State of Florida agrees that it will diligently assist Dade County in the location of a suitable site in South Florida for a regional airport adequate to accommodate passenger, cargo, mail and training facilities. In the event title to such site selected or any part thereof shall be in the State, the State shall convey the same to Dade County without cost." The Governor said he would have no objection to that, but it would require the agreement of the entire Cabinet.

Mr. Adams said the State had cooperated before by making land available and he was sure would do so again, but he would think that some trade should be worked out and areas in the present site should be surrendered in lieu of new sites that might be made available for a new location. Mr. Christian and Mr. Faircloth agreed that state land not used for the jet port should revert to the Trustees for other public purposes. Mr. Faircloth also would like to see the total agreement in which the above language is to be inserted, as there were other questions in which the Board should be very much interested. Mr. Dickinson said he was sure the Governor had apprised Mr. Volpe of the problems and that the State government would work cooperatively toward a solution. Mr. Williams said the local people were working on a recommendation to bring to the Board.

Motion was made by Mr. Adams, and adopted, that the Trustees approve the language provided that it is recognized that there might be some trade involving lands previously made available for the first jet port site which lands might not now be in a possible relocated site, that the Trustees are willing to cooperate, first, with the Dade County Port Authority in finding a new location and second, if State lands are involved to make them available.

SUBJECTS UNDER CHAPTER 18296

ALACHUA AND OSCEOLA COUNTIES - On motion duly adopted, the Trustees approved Murphy Act Bidding Report No. 961 listing 2 regular sales of land in Alachua County and 232 regular sales in Osceola County under the provisions of Chapter 18296, the Murphy Act, and

authorized execution of deeds pertaining thereto.

REFUND - On motion by Mr. Conner, duly adopted, the Trustees authorized refund of $15.00 to Real Estate Title Company for the reason that the Department of Transportation declined to recommend the release of state road right of way reservation contained in Hillsborough County Murphy Act Deed No. 889.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
January 6, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller, present part time
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

The minutes of the meeting of December 23rd were approved as submitted.

ST. LUCIE COUNTY - Bulkhead Line, Section 253.122, Florida Statutes. The Board of County Commissioners of St. Lucie County adopted a resolution on November 26, 1969, locating a bulkhead line along the line of mean high water on the east shore of the Indian River in Sections 10 and 11, Township 34 South, Range 40 East, St. Lucie County. There were no objections at the local hearing. The biological survey report was not adverse and the area was in Aquatic Preserve No. A-9.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the bulkhead line as adopted by St. Lucie County.

MONROE COUNTY - File Nos. 2249,2250, 2251 and 2252-44-253.12. Thomas O. Neff, Executor of the Estate of Ed R. Neff, deceased, requested withdrawal of application to purchase four parcels of sovereignty land abutting Crawl Key in Monroe County. The biological report was adverse to sale and development of the submerged land.

As recommended by the staff, motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that $50 of each application fee, or a total of $200, be refunded and the files deactivated.

COLLIER COUNTY - File No. 2236-11-253.12, Land Sale. On November 18, 1969, the Trustees considered the application from Naples Yacht Club, Inc., to purchase a parcel of sovereignty land in Naples Bay abutting Tier 8, Block 6, Replat of Tiers 3 to 10, Plat Book 1, Page 76, public records of Collier County, in Section 10, Township 50 South, Range 25 East, Collier County, appraised at $2,400.00 for the parcel to be used to expand yacht club facilities. Notice of sale was published in the Collier County News, proof of publication filed, and no objections were received. Confirmation of sale was recommended on this date, no meeting having been scheduled for the advertised sale date of December 30, 1969.

The biological survey report on the 0.69 acre application parcel was not adverse, the Interagency Advisory Committee reaffirmed the location of the bulkhead line, and the City of Naples had made satisfactory progress on its bulkhead line review.

On motion by Mr. Christian, seconded by Mr. Faircloth and Mr. Adams, and adopted, the Trustees confirmed sale of the advertised parcel to the applicant at the appraised price.

PALM BEACH COUNTY - File No. 2215-50-253.12, Application to Advertise. Brockway, Owen & Anderson Engineers, Inc., on behalf of John Moore and wife, applied to purchase a 0.82 acre parcel of sovereignty land in Lake Worth abutting Lots 5-6-7 Block "Q" Prospect Park, Plat Book 7, Page 60, public records of Palm Beach County, in Section 34, Township 43 South, Range 43 East, Palm Beach County, appraised at $7,865.85 per acre or $6,450.00 for the parcel. Staff was of the opinion that the valuation was fair for the area which applicant had indicated was desired to enlarge size of an upland residential lot and no building was planned.

The biological survey report was not adverse, showing the area to be a mixture of sand and shell, supporting no attached vegetation, and selling and filling should not materially affect marine biological resources. The application area was within the bulkhead line reaffirmed by the Interagency Advisory Committee on June 27, 1968. Area Planning Board of Palm Beach County objected to sale of the land in their meeting on July 22, 1969.

Also: File No. 2031-50-253.12, Application to Advertise.

Brockway, Owen & Anderson Engineers, Inc., on behalf of Arthur J. Paynter and wife, applied to purchase a 0.778 acre parcel of sovereignty land in Lake Worth abutting Lots 24 through 27, Block 2, North Palm Beach, Plat Book 6, page 30, in Section 3, Township 43 South, Range 43 East, West Palm Beach, Palm Beach County, appraised at $11,465.30 per acre, or $8,920.00 for the parcel. Staff was of the opinion that the valuation was fair. Applicant proposed to extend the upland out to conform to areas already filled to the north and no building was planned on the parcel.

The biological survey report was not adverse, stating that the area was sandy and unvegetated except for a small patch of seagrass, and that sale and development should not have significant adverse effect on marine biological resources in the area. The application area was within the bulkhead line reaffirmed by the Interagency Advisory Committee on June 27, 1968. Area Planning Board of Palm Beach County offered no objections in meeting July 9, 1968. Several parcels lying northerly of this one had been sold.

Mr. Christian made a motion that the two application parcels be advertised for objections only as recommended by the staff.

Mr. Adams noted that no building was planned in each application, but in the discussion it was brought out that no restriction was contemplated in an instrument of conveyance. Assistant Attorney General Herbert Benn stated that kind of restriction would be meaningless as the Board did not have the authority, but he would recommend that the land not be sold. The Director said that objections probably would be received since one or two had already been filed, and that the staff would proceed to advertise the two application parcels for objections only. It was so ordered.

BREVARD COUNTY - Dedication No. 24084(1588-05-253.12)
The City of Cocoa by resolution adopted on November 25, 1969, requested a three-year extension of an original dedication granted on November 19, 1965, embracing 5.11 acres of sovereignty land in the Indian River for municipal park and recreational purposes conditioned upon the city using and maintaining the area consistent with the terms of the dedication. The city advised that financial difficulties had made it impossible to proceed under the original terms of the dedication.

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees granted the three-year extension with the provision that if the city fails to develop the parcel within the period of extension, the dedication will automatically terminate without any further action by the Trustees.

PINELLAS COUNTY - File No. 2295-52-253.03, Right of Way Easement.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized issuance of an easement to the Southwest Florida Water Management District embracing 5.68 acres in Lake Tarpon abutting Section 19, Township 27 South, Range 16 East, Pinellas County, needed in order to complete the Lake Tarpon Sink Enclosure as approved by the Trustees on February 20, 1968.

MONROE COUNTY - Easement and Dredge Permit, Sections 253.03 and 253.123 Florida Statutes.
The Department of Transportation requested (1) an alternate dredging area and dredge permit embracing 9.0 acres of sovereignty land in Florida Bay abutting Sections 32 and 33, Township 66 South, Range 30 East, Monroe County, required for fill material in connection with construction of the new Bahia Honda Bridge, and (2) storage area embracing 3.4 acres and haul route of 0.15 acre of sovereignty land abutting the dredge area. The Department would quitclaim the area originally granted by the Trustees.

The biological report was adverse to the alternate area but the Department of Transportation advised that it would eliminate the

hazard of using U. S. No. 1 for a haul route and would aid in the use of public boating facilities in the area. Trustees' staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement and dredge permit requested by the Department of Transportation.

BAY COUNTY - Dredge Permit, Section 253.123, File 425.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved issuance of a dredge permit to E. K. Parker to dredge a navigation channel 20 ft. wide and 5 ft. deep in Section 25, Township 4 South, Range 14 West, Pitts Bayou, Bay County. The material would be placed on applicant's upland and biological report was not adverse.

BROWARD COUNTY - Dredge Permit, Section 253.123, File 431.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of a dredge permit to Florida Power and Light Company for installation of a submarine power cable in the Intracoastal Waterway, Hallandale Florida, in Section 26, Township 51 South, Range 42 East, Broward County. The biological report was not adverse.

LEE COUNTY - Bulkhead Line Review.
On June 10, 1969, the Trustees called for a review of bulkhead lines in Lee County in compliance with recommendations of the Interagency Advisory Committee reports, and action was deferred on individual applications. On November 25 Lee County submitted a comprehensive report relative to the status of all bulkhead lines within the county which in the opinion of the staff complies with the Trustees' action on June 10 and conforms with the July 1st policy. Mr. Apthorp said the staff felt that the county was in conformity with recommendations and policies and by memorandum dated December 23, 1969, the staff had recommended that applications from Lee County be considered.

Governor Kirk said the Board accepted the report.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes.

West Valley Estates, Inc., represented by W. S. Thompson Company, Inc., applied for permission to remove 176,976 cubic yards of material from Deep Lagoon, Caloosahatchee River, in Section 20, Township 45 South, Range 24 East, Lee County, which application was deferred on November 4 pending compliance by the county with the Interagency Advisory Committee recommendations. The material would be deposited on applicant's upland and check in tne amount of $17,976.00 was tendered in payment for the fill material.

The Director explained that the biological report was adverse to the initial plan, however the applicant had modified his project pursuant to staff recommendations for the purpose of minimizing damage to marine resources. Staff recommended approval.

Motion was made by Mr. Adams, seconded by Mr. Christian, that the Trustees authorize issuance of the permit. The motion was adopted, with Messrs. Williams and Conner voting "No."

MARTIN COUNTY - Dredge Permit for Beach Nourishment.
Action was deferred on an application from the Town of Jupiter Island to dredge material from Pecks Lake for a beach nourishment project, for the reason that the Department of Natural Resources did not take action on the matter on this date.

MONROE COUNTY - Dredge Permit, Section 253.03, File 150.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of dredge permit to Lavern B. Pakorski, represented by James T. Glass, for a standard navigation channel in Section 34, Township 66 South, Range 29 East, Big Pine Channel, Monroe County, for which the biological survey report indicated only limited adverse effects.

MONROE COUNTY - Dredge Permit, Section 253.03, File 153.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of a permit to Norman R. Dunn to perform maintenance dredging in an existing boat basin in Section 19, Township 65 South, Range 34 East, Monroe County, in the Bay of Florida. The biological report was adverse but the staff recommended approval, as the project would improve existing navigation facilities.

OKALOOSA COUNTY - Dredge Permit, Section 253.123, File 404.
Motion was made by Mr. Christian, seconded by Mr. Faircloth and Mr. Williams, and adopted, that dredge permit be authorized to James B. Fatherree to dredge a navigation channel in Sections 31 and 32, Township 1 South, Range 25 West, Paquito Bayou, Okaloosa County. The biological survey report was not adverse, and the material would be placed on upland property.

PALM BEACH COUNTY - Dredge Permit, Section 253.123, File 430.
Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that dredge permit to Florida Power and Light Company be approved for installing a power cable in Sections 2 and 3, Township 45 South, Range 43 East, Lake Worth, Palm Beach County. The biological survey report was not adverse.

PINELLAS COUNTY - Dredge Permit, Improve Upland, Section 253.123.
Pinellas County Water and Navigation Control Authority issued a permit, subject to Trustees' approval, to Louis H. Fernandez for dredging in The Narrows, Lot 6, Section A, Indian Beach Manor, for material to be placed on applicant's upland. Check for $250.00 was tendered in payment for the fill material.

The biological survey report was adverse, but the proposed dredge area would provide access to navigable waters and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved issuance of the dredge permit.

SARASOTA COUNTY - Dredge Permit, Section 253.123, File 432.
On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved application from Florida Power and Light Company to dredge to install submarine cable across Little Sarasota Bay in Sections 19 and 20, Township 37 South, Range 18 East, Sarasota County, for which the biological report was not adverse.

CHARLOTTE COUNTY - Artificial Reef Permit.
Charlotte County Board of County Commissioners applied for permit to construct an artificial fishing reef of tires fastened in clusters of three, weighted with concrete, with a minimum clearance of 6 feet mean low water and marked by pilings, in Charlotte Harbor at the following site: south-southeasterly from Locust Point on Hog Island at 26°54'49" N. Lat., 82°07'36" W. Long. The required processing fee of $50.00 was tendered, and staff recommended approval.

The Department of Natural Resources recommended approval. Charlotte County Recreation and Parks Department had coordinated its efforts to improve fishing with the Department of Natural Resources.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved issuance of the artificial reef permit.

COLLIER COUNTY - Dock Permit, Section 253.03 Florida Statutes.
Alliance Machine Company, care of Rod and Gun Club of Everglades City, Florida, applied for after-the-fact permit for two commercial docks adjoining their upland on the Barron River in Section 14, Township 53 South, Range 29 East, Collier County.

After learning that permits were required, the applicant submitted the application on his own initiative, furnishing all required exhibits including $100 processing fee.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the state dock permit.

PALM BEACH COUNTY - Dock Permit, Section 253.03 Florida Statutes.
Jack Colon Lee, 308-A East Ocean Avenue, Lantana, Florida, applied for a permit for construction of a dock in Lake Worth in Section 3, Township 45 South, Range 43 East, Palm Beach County. Required exhibits and $100 processing fee were submitted. The city, owner of adjacent property on the east, had no objection and had issued construction permit for the dock. Adjacent owner on the west had no objection and had an existing dock structure. Objection from two owners several lots removed from the site was based on the nature of the operation, but the Director explained that the applicant was licensed to operate a party boat, was presently operating from a boat slip, and the permit was for a proper structure in accordance with local zoning.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit. Mr. Williams voted "No."

PINELLAS AND HILLSBOROUGH COUNTIES - Dock Permit, Mooring Anchor Buoys, Section 253.03 F. S.
Benton and Company, Inc., St. Petersburg, Florida, applied for permit for mooring buoy anchors for barges adjacent to the Gandy Bridge and the W. H. Frankland Bridge in Old Tampa Bay. All required exhibits, including $100 processing fee, were submitted and staff recommended approval. The Director explained that the applicant desired to tie up barges while waiting for the bridge to open, and to await proper weather conditions. He said it would set no precedent as the Trustees had given other permits for mooring facilities. Also, Corps of Engineers and Coast Guard permits would be required to protect navigation.

Mr. Faircloth suggested that an expression from the Department of Transportation as to any hazard to the bridges might be required.

The sites were three thousand feet from the bridges.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that action be deferred until clearances were received from the Department of Transportation, Coast Guard and Corps of Engineers.

Mr. Adams felt that approval might lead to requests from other commercial operators, that the buoys would have to be lighted, and upon Mr. Christian withdrawing his motion Mr. Adams made a motion that the application be denied. Motion was seconded by Mr. Williams and adopted without objection.

WEST FLORIDA COUNTIES - Hurricane Camille Damage.
On October 7, 1969, the Trustees granted authority for the staff to issue emergency permission for upland owners to install protective devices in areas damaged by Hurricane Camille. On-site inspection of ten damaged areas indicated that the damage was not as extensive as the staff was led to believe, only one area having suffered extensive damage. This property owner was authorized to place rip-rap in the eroded area to prevent further erosion and is in the process of making application for permit to reclaim the area lost by action of the hurricane. The staff requested that the authority granted on October 7 be withdrawn.

On motion by Mr. Williams, seconded by Mr. Christian and Mr. Adams, it was so ordered.

TRUSTEES ADMINISTRATIVE RULE CHANGES.

(1) On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized amending of Rule No. 200-2.05(10) "Application to purchase areas riparian to upland", and Rule No. 200-2.051(6) "Application to purchase areas not riparian to upland", to require the applicant to defray entire cost of appraisal service and payment for appraisal to be tendered prior to confirmation of sale of lands subject to application.

Mr. Apthorp said there was now an appraiser on the Trustees' staff who would review or make appraisals, and the applicant would bear the expense.

(2) On motion by Mr. Christian, seconded by Mr. Williams and passed without objection, the Trustees adopted a new rule under the provisions of Chapter 120, Florida Statutes, and the general authority of Section 253.03(7) Florida Statutes, to provide for issuance of permits for the construction of utility cables, pipelines, or other suspended structures where no dredging or filling is contemplated, and easements would be unnecessary over sovereignty lands. A minimum fee of $100 would be charged for processing such permits.

The staff had recommended that for such suspended or unburied installations, the permit procedure be used rather than easements. It was explained that usually the public need was served, but it required inspection and a minimum charge was to be made.

HENDRY COUNTY - Oil and Gas Lease.
Application was received for lease of the reserved one-half interest of the Board of Education in land owned by the United States (a part of the Big Cypress Seminole Indian Reservation)

in Section 16, Township 48 South, Range 33 East, containing 640 acres or 320 net mineral acres in Hendry County. On this date the Board of Education approved the offering for oil and gas lease by the Trustees.

Concurring with the action by the Board of Education, on motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees pursuant to Section 4, Chapter 69-369, Laws of Florida, authorized advertisement for sealed bids on the reserved one-half interest held by the Board of Education, for oil and gas lease with 5-year primary term, annual rental of $1 per net mineral acre, 1/8 royalty and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is deeper, and bond as required by law in the amount of $50,000.

FLAGLER COUNTY - Dedication.
On this date the Board of Education approved dedication of 35 acres to the Board of County Commissioners of Flagler County for a public recreational facility sponsored by the Flagler County Cattleman's Association, Inc., a non-profit corporation assisted by the Flagler County Recreation Committee, County Commission, Board of Public Instruction and others. The land was part of a 183-acre tract of school land in Sections 3 and 4, Township 12 South, Range 30 East, used for a number of years for educational purposes by the Flagler County 4-H Club and Bunnell FFA. The Flagler County School Board by resolution endorsed the proposed use of the tract, primarily for the annual "Cracker Day" event featuring horse racing and other rodeo activities.

Concurring with the action of the Board of Education, the Trustees on motion by Mr. Christian, seconded by Mr. Faircloth, authorized issuance of the dedication as requested by Flagler County.

TRUSTEES FUNDS - The Pensacola Historical Restoration and Preservation Commission requested consideration of a grant of $157,000 to match that amount of "open spaces" federal funds for the acquisition of parcels of land along the Pensacola waterfront having historical significance.

On November 18, 1969, Mr. Adams had discussed the proposed grant from the U. S. Department of Housing and Urban Development and said that it might be a wise investment of Trustees' funds to purchase valuable waterfront property. Legislative reorganization having placed the Pensacola Historical Restoration and Preservation Commission in the Department of State, the Secretary of State recommended purchase of the land as a good investment of Trustees' funds for land, title to which would be placed in the Trustees of the Internal Improvement Trust Fund.

Motion was made by Mr. Adams, seconded by Mr. Faircloth and adopted, that $157,000 of Trustees' funds be made available to match an equal amount of federal funds for the purchase of land requested by the Pensacola Historical Restoration and Preservation Commission.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees authorized refund of $15.00 to Duncan and Foster, Attorneys at Law, for the reason that the Department of Transportation declined to recommend release of the state road right of way

reservation contained in Bay County Murphy Act Deed No. 395. Duncan and Foster had submitted that amount for quitclaim deed releasing said reservation.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
January 13, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State (present part time)
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

Fred Vidzes	Staff Member

Minutes of the meeting of January 6, 1970, were approved as submitted.

DADE COUNTY - File No. 2144-13-253.12, Land Sale Considered. On October 14, 1969, the Trustees deferred action until this date on an application from Key Biscayne Yacht Club, Inc., to purchase a parcel of sovereignty land embracing 0.74 acre in Canal Haciendo in Section 32, Township 54 South, Range 42 East, Key Biscayne, Dade County, pending receipt from the applicant of development plan which had subsequently been furnished showing proposed boat docking facilities and access to the dock in the canal.

Offer of $1,000.00 was made for the land. Conveyance, if sale is made, will contain a 50 ft.wide drainage easement in favor of Metropolitan Dade County for drainage purposes which would make the land unsuitable for building purposes. Staff felt that the offer was fair value for the land and recommended sale, part of the parcel subject to conveyance to contain a restrictive covenant that will preclude filling of the canal but allow dock structures therein.

The biological report was adverse, showing that although a bulkhead line was in place along shore, the water depths were sufficiently

shallow to permit growth of grass. To reduce damage to the grassy habitat, applicant modified the plan and proposed to fill only 0.16 acre of the parcel to be purchased. The Interagency Advisory Committee recommended the bulkhead line at this area to be at the shore line. Dade County revised the bulkhead line to follow the shore line generally, and the Trustees approved the line January 28, 1969.

Notice of the application for sale was advertised and numerous objections received, primarily directed toward the proposed use that would affect adjoining property values. Present on this date representing the applicant were Commodore Dr. John Handwerker, Attorney Thomas H. Wakefield, Regis Gallagher, Gene Beauchamps; and a number of objectors also were present including Raymond E. Turner.

Dr. Handwerker discussed the Yacht Club membership, improvement program to further upgrade boating facilities on Key Biscayne, and in greater detail Mr. Beauchamps explained expansion plans as modified. Mr. Adams suggested that only the small portion to be filled could be sold. Thomas H. Wakefield, attorney for the Yacht Club, said the protests were a natural result of a few surrounding residents, that the use and zoning were matters governed by the local authorities.

Being a member of the Yacht Club, Governor Kirk said he would disqualify himself from voting. He raised a number of questions particularly regarding the zoning changes.

Mr. Raymond E. Turner opposed any filling of areas in bays and rivers, and while not opposed to the Yacht Club he did object to its continued expansion and features of its activities which disturbed residents nearby. He had not seen the revised plans until the day before and pointed out that changes in zoning would be necessary. Also, the price offered was unrealistic in Mr. Turner's opinion, and it was brought out that the parcel had not been appraised. It was explained that the value was low because of the 50-foot wide drainage easement to the county, and that the unfilled part of the canal could be used by the public. However, Mr. Turner said the club had fenced the canal.

Mr. Christian asked for an appraisal, and Mr.Faircloth for a staff report on the advisability of sale of only the 0.16 acre proposed to be filled and issuance of dock permit for the other construction. The Governor said they should be consistent with what had been done for the private owners on the other side. On behalf of the applicant, Mr. Wakefield said they would abide by the cabinet recommendations and would try to work out the matter.

On motion by Mr. Faircloth, duly adopted, the Trustees postponed action on the sale application.

Seminole County- Exchange Agreement. On February 28, 1967, the State Board of Education entered into an agreement with the City of Sanford whereby approximately 6½ acres held by that Board would be conveyed to the city in exchange for extension of a 6-inch water main approximately 6,072 feet to the present Central Florida Experiment Station. The water line was completed and accepted by the Board of Regents which recommended execution of deed to the City of Sanford pursuant to the exchange agreement.

The appraised value of the property described as the South 628 ft. of Lot 22 and the East 114 ft. of the South 628 ft. of Lot 23 in Pace Acres, MB 3, p. 21, public records of Seminole County, was between $14,212 and $18,000 at the time the agreement was made, and the cost of the water line extension was estimated at $19,400.

Pursuant to Section 253.111 Florida Statutes, the Board of County Commissioners of Seminole County was advised and allowed 90 days in which to request the subject parcel for recreational purposes. In the absence of a response from the county, staff recommended approval of the exchange.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the exchange and issuance of deed to the City of Sanford.

ST. LUCIE COUNTY - Corrective Deed, Quitclaim No. 17895-A dated September 21, 1967, to City of Fort Pierce.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of a corrective deed requested by Mr. Spencer B. Gilbert, City Attorney of Fort Pierce, Florida, to remove an error in the metes and bounds description contained in the original deed.

PALM BEACH COUNTY - Corrective Deed No. 18277.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of a corrective deed requested by Mr. T. M. Rickards, Jr., representing Maude Scogin Layfield, et al, grantees, to correct a bearing in the description of a parcel of reclaimed lake bottom land in Section 1, Township 44 South, Range 35 East, Palm Beach County. Applicant had quitclaimed to the Trustees the erroneous description.

MARTIN COUNTY - Dredge Permit for Beach Nourishment.
A matter again placed on the agenda for action by the Trustees and the Department of Natural Resources was withdrawn from the agenda for the reason that the Department of Natural Resources did not take action on this date.

LEVY COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of state dock permit to Henry J. Brown of Cedar Key, Florida, for construction of a dock adjacent to upland in Section 29, Township 15 South, Range 13 East, Levy County, for which all required exhibits and $100 processing fee had been submitted.

SHELL LEASE REPORTS - The Trustees accepted for the record the report showing the following remittances to Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 9,953.43
1788	Benton & Company, Inc.	15,899.42
2233	Bay Dredging & Construction Co.	5,122.09

Governor Kirk asked for a report on when Benton and Company would be current in their payments.

TRUSTEES OFFICE - Retirement Policy.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the recommended retirement

policy for employees of the Board of Trustees of the Internal Improvement Trust Fund pursuant to Section 112.051, effective January 1, 1970.

DUVAL COUNTY - Spoil Easement, File No. 2286-16-253.03.
Jacksonville Port Authority applied for maintenance spoil easement in St. Johns River in Township 2 South, Range 26 East, lying south of the Fuller Warren Bridge, covering 500 acres, more or less, in Duval County.

The area had previously been used for spoiling under authorization of U. S. Corps of Engineers Permit SAJSP 67-434, the biological survey report was not adverse, and continued spoiling should not have significant adverse effect.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the requested easement.

HIGHLANDS COUNTY - Lake McCoy.
Governor Kirk asked for information from the staff with respect to state road construction now behind schedule 128 days being held up pending an ecological report. Mr. Vidzes said the staff had requested the Game and Fresh Water Fish Commission to comment because of the concern expressed by people fearing possible encroachment on Lake McCoy.

At the request of the Governor, the matter will be placed on the agenda next week.

DADE COUNTY - Reported Encroachment on Sovereignty Land in Miami Beach, Florida.
Mr. D. P. S. (Dan) Paul, an attorney from Miami, reported a situation that could become similar to that at Golden Beach (minutes of November 18, 1969) where he said state sovereignty land was being encroached upon and a new building advertised as "Maison Grande" could prevent access to the public beach. With copy of a newspaper advertisement and aerial photographs, he described the situation and asked for an immediate investigation, offering to furnish a survey showing the location of the mean high water line.

Mr. Dickinson noted in the photograph that there were existing structures allegedly on sovereignty property creating problems for egress and ingress to the public beach and waters. Mr. Paul said the public should be able to use the beaches, that some effort should be made to reclaim possession, and he urged the Board to prevent further investment in this particular building project.

Mr. Faircloth said it could be stopped, that the Board should not have to get information from citizen-reports as there should be some watch-dog committee, that there was very little beach available to the public at the present time.

On motion by Mr. Faircloth, adopted without objection, the Trustees ordered an immediate investigation by the Department of Natural Resources, Beaches and Shores Division, and the Trustees' staff, and that an emergency meeting be called during the week if necessary.

SUBJECTS UNDER CHAPTER 18296

On motion duly adopted, the Trustees accepted Murphy Act Report No.

962 and approved five regular bids for sale of land in Osceola County under provisions of Chapter 18296 Acts of 1937 - Section 192.38 Florida Statutes.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Fred Vitzer
STAFF MEMBER

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Tallahassee, Florida
January 20, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State (Present part time)
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture (part time)

James W. Apthorp — Executive Director

Minutes of the meeting of January 13, 1970, were approved as submitted.

Secretary of State Adams was asked to preside, as the Governor had to be out of the room temporarily. During consideration of the first two items on the agenda, bulkhead lines in Pinellas County, Mr. Adams was presiding officer.

PINELLAS COUNTY - Bulkhead Line, Segment No. 2, Town of South Pasadena.

The Board of County Commissioners of Pinellas County had asked to be heard relative to the established bulkhead line, Segment No. 2, for the Town of South Pasadena that the Trustees had approved on December 2, 1969. Rehearing was desired not to have the Trustees change their action but to make the record very clear that many things were taken into consideration in formulating the decision.

Richard L. Stewart, Pinellas County Attorney, said the record should be clarified since the case was now in court and there were several reasons for further explanation in the record. He then reviewed the overall situation in the area known as South Pasadena Bulkhead Line No. 2, telling of various applications and actions from 1958 to the

present with respect to dredge and fill permits, bulkhead lines, and land formerly owned by Geisen and Hienan and now by South Pasadena Development Corporation, both having been represented by Adrian S. Bacon, attorney. Mr. Stewart said that on the face of the record of December 2, 1969, the Trustees' sole reason, apparently, for approval of the bulkhead line as established by Pinellas County had been the Boca Ciega Bay Aquatic Preserve law, Chapter 69-342.

Mr. Christian said the Trustees' approval was on the basis of the Interagency Advisory Committee report, the recommendations of the staff and of the Pinellas County Water and Navigation Control Authority. Mr. Apthorp expressed the opinion that the action of the Trustees was always based on all the records and recommendations available, that certainly the legislative act creating the preserve had carried weight, but the county records were also before the staff and the Board. However, the county attorney felt that the transcript of the December 2nd meeting did not make that clear, therefore reaffirmation by the Trustees of approval of that bulkhead line based on the records and the merits would be helpful to the county in litigation filed by Mr. Bacon for South Pasadena Development Corporation.

Governor Kirk said the Board and the staff had considered all available records and information, that there was no reason to reaffirm the action and he would not vote for such a motion, as the discussion would be adequate for the court.

Mr. Adams said as far as the written transcript showed, creation of the mean high water boundaries of the Boca Ciega Bay Aquatic Preserve by the Legislature might appear to be an arbitrary decision as they had no transcript of the consideration of any ecological reasons - and while the Trustees had considered these reasons the transcript indicated that they had tracked the thinking and action of the Legislative Act.

Motion was made by Mr. Conner, seconded by Mr. Williams and adopted, with Governor Kirk not voting, that the Trustees reaffirm their approval of December 2, 1969, of Segment No. 2 bulkhead line in Section 30, Township 31 South, Range 16 East, as fixed and located by Pinellas County Water and Navigation Control Authority.

Mr. Stewart then discussed the application to the county filed by Mr. Bacon for the bulkhead line desired by his client, stated the Board of Conservation had recommended a hydrographic study which had not been supplied. He said the Trustees had never received a formal application for that bulkhead line but in essence did take action by denial on December 2nd. Mr. Stewart requested amendment of that action until proper procedures had been complied with by the applicant. Mr. Ben Driver, County Deputy Clerk, reaffirmed that the applicant had been notified of need for a hydrographic study and how to procure one.

The Trustees then heard from Mr. Bacon, attorney representing South Pasadena Development Corporation, that they were trying to do everything they could in order to get into court to have a judicial decision, that his client did apply for a permit and no hearing was held on it, he did object to the bulkhead line, that the law provides that where a hydrogrphic study was needed it should be made by the Board of Conservation and by the county or state and not by the private owner. Mr. Bacon said he applied to the Board because it appeared that the county desired to establish the line at the mean high water mark and thereby prevent his client from using its lands. He spoke of the former ownership, sale of the land under contract to his client, and said they were trying to comply with all legal requirements.

The Director advised the members that their position was sound, that once the bulkhead line was established at the mean high water no permit could be granted.

Mr. Conner objected to implications that the Trustees had incomplete information or should amend their records for one party or another. He said everything the Trustees had done was based on the records.

The Director said in his opinion no further action was necessary on the request made by Mr. Stewart, that on December 2nd the motion adopted by the Trustees was to return and deny the application.

Mr. Christian made a motion that the Trustees proceed to the next matter on the agenda. He said that former action had been based on all the records, the Interagency report and recommendations, the conservation reports, county records, and he did not see that there was any problem.

Director Randolph Hodges of the Department of Natural Resources, to clarify statements concerning the hydrographic study, said the applicant was notified three times that such study would be necessary and he could contact Dr. Dean in that regard - but the file did not show that Dr. Dean was contacted by the applicant.

Mr. Girard O'Bryan, City Attorney of South Pasadena, said the matter had been complicated procedurally, and the county attorney was trying to be cautious and careful. He then reviewed hearings in the town on a DO-159 permit applied for by South Pasadena Marina, Inc., that was granted to dredge a channel around the subject property and had been filed with the Trustees. He said the city opposed it and setting a bulkhead line offshore. He thanked the Trustees for their time and consideration.

Mr. Adams continued to preside as he had during most of the preceding action for the reason that the Governor had to be out of the room temporarily. Mr. Conner had to leave the meeting.

PINELLAS COUNTY - Bulkhead Line, Segment No. 1.
The Pinellas County Water and Navigation Control Authority by resolution adopted on April 9, 1969, relocated a bulkhead line, Segment No. 1, along the easterly and southerly limits of South Pasadena in Section 30, Township 31 South, Range 16 East, Pinellas County. (This was a different line from the preceding item.) The biological report approved the proposed line. The relocation met with the recommendations of the Interagency Advisory Committee Report No. 1, and was within Boca Ciega Bay Aquatic Preserve as established by Chapter 69-342, Acts of 1969. Consideration of this line was deferred on December 16, 1969, at the request of Mr. Adrian Bacon.

Motion was made by Mr. Christian, seconded by Mr. Faircloth, that the line be approved. However discussion followed and this motion was not adopted.

The Director said an existing line had been relocated, the record of the hearing of the county was before the Board, the Interagency Advisory Committee report had been reviewed, the biological report was adverse as to location in any other place than the mean high water line, and this particular segment was exempt in the Boca Ciega Bay Aquatic Preserve Law. On that basis the staff recommended approval of the relocated line.

Mr. Adrian S. Bacon, representing Castle of Kings, Inc., and Mr.

Emerson Parker, president of said firm, made a lengthy presentation objecting to relocation of the bulkhead line at the mean high water mark, discussing the history of the case including investigation by Mr. Parker prior to purchase, acquisition of uplands and submerged land, approval of the bulkhead line by the Trustees, construction of the applicant's first phase of development, and working with the town on street layouts. Then the Town of South Pasadena had requested the county to reestablish the bulkhead line at the mean high water and Mr. Parker objected at the public hearing that it would violate his rights. But the Authority did relocate that line notwithstanding the objections. Mr. Bacon filed photographs and other material with the Trustees, pointed out the mud flats lying in front of Mr. Parker's property, and claimed injury to private rights after reliance on actions of state agencies and large expenditures in the first construction. Mr. Bacon said apparently it was felt that because of passage of the 1967 Act and the Interagency Reports, et cetera, concerning future policy of the state, the local boards should go back and undo what they had done before and set bulkhead lines at mean high water lines; but he pointed out that the Trustees had the power to accept or reject the suggested change in the bulkhead line.

Mr. Christian asked a number of questions, and suggested deferment for further investigation with respect to representations of damage to an individual. He felt the need for further study, and asked if the county could reimburse the owner for money he had spent relying on the first bulkhead line.

Mr. Stewart denied that there was any substantial damage to Mr. Parker. City Attorney Girard O'Bryan of South Pasadena reviewed past actions and said the city tried to cooperate with developers and pursue a common sense course. Representative Bill Fleece, Messrs. Warren Harris, Roland Schimmel and Clyde Sullivan all spoke in favor of the relocated bulkhead line.

Mr. Dorothy Sample, attorney, denied some of the statements regarding the owner's rights, said there was no absolute right to fill to a bulkhead line and that use of privately-owned submerged land did not give the right to fill, build or interfere with the public rights in navigable waters but only to "seek" permit to fill. She endorsed the county position.

Mr. Emerson Parker spoke briefly in his own behalf and asked the Trustees to find out all the facts and know what relocation of the line would do to him.

In review, Mr. Adams said the local board recommended a bulkhead line which had come to the Trustees and was approved. Then, in the light of later developments, the Interagency Advisory Committee and the Legislative Act, the local body had determined that they should reevaluate what they had done and it now came before the Trustees from elected public officials who had presumably followed those criteria. The staff had recommended that the county action be approved.

Governor Kirk made a motion to accept the staff recommendation. Mr. Faircloth and Mr. Williams seconded the motion simultaneously. Motion was adopted, with Mr. Christian not voting for the reason that he felt further information was needed to clarify the claim that an individual would be damaged.

Governor Kirk again assumed chairmanship of the meeting.

TRUSTEES' POLICY - Reclaimed Lake Bottom Lands.
Staff submitted as policy recommendation relative to management of reclaimed lake bottom lands a modification of that submitted on November 18, 1969, and deferred by the Board. Action on numerous applications for such lands had been held in abeyance since the initial moratorium on sales of land that went into effect on May 21, 1968.

On motion by Mr. Faircloth, seconded by Mr. Adams and carried without objection, the Trustees adopted the following policy.

> The Board of Trustees of the Internal Improvement Trust Fund may sell and convey or otherwise dispose of reclaimed lake bottoms if not determined by the Trustees to be contrary to the public interest. Each application for the purchase of reclaimed lake bottom lands should be considered on its own merits to determine whether the lands should be disposed of. No application for purchase of reclaimed lake bottom lands shall be entertained until a specific contour or other acceptable boundary line representing the new, permanently lowered ordinary high water level shall have been determined and approved by the Trustees.
>
> Until such time as those lakes and lands that were subject to reclamation by someone other than a legally constituted authority have been identified and inventoried, only those bodies of water under the jurisdiction of legally constituted authorities having the power, as granted by the Legislature, to regulate, control, manage, conserve and administer such bodies of water lying within the lawfully established boundaries of such authorities, shall be subject to disposition by the Trustees.
>
> Applications for the purchase of reclaimed lake bottom lands shall be submitted and processed in compliance with law and appropriate administrative rules and regulations except that in every instance state agencies will be afforded an opportunity to justify the need for title of such lands to remain in the Trustees.
>
> A technical advisory committee appointed by the Trustees and consisting of, as a minimum, an attorney, a registered land surveyor, a geologist, and a biologist will advise and assist the Trustees' staff in locating the original ordinary high water line of the lake pertaining to reclaimed lake bottom applications and for determining lakeward limits of such reclaimed lake bottom lands susceptible for disposition.

DUVAL COUNTY - File No. 2211-16-253.12, Land Sale.
On September 23, 1969, the Trustees authorized advertisement for objections only of a parcel of sovereignty land in the St. Johns River landward of the established bulkhead line abutting Section 39, Township 2 South, Range 27 East, Duval County, containing 9.14 acres, more or less, applied for by Georgia Industrial Realty Co., represented by Mathews, Osborne and Ehrlich, for industrial use. The biological report was not adverse and the bulkhead line had been reaffirmed by the Interagency Advisory Committee and by the Consolidated City of Jacksonville. Notice of sale was published in the Florida Times Union, proof of publication filed.

On the advertised sale date, November 18, 1969, action was deferred because the required five members were not present to take action

on a land sale. On December 16 the Trustees deferred action pending receipt of formal resolution from the City of Jacksonville outlining its objections, which related to the valuation of the parcel.

An appraisal executed on August 18, 1969, obtained by the Trustees' office, had valued the 9.14 acres at $16,050.00. Staff appraiser reviewed the appraisal, investigated the site, and fixed a valuation of $20,000.00 for the land. Staff recommended sale at that value.

Representing the applicant, Mr. H. P. Osborne, Jr., objected to the increased price and asked for reconsideration on the basis of the independent appraisal of $16,050.00. The members were not willing to accept that valuation.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees confirmed sale of the advertised land at $20,000.00, the value fixed by staff appraiser.

PUTNAM COUNTY - File No. 2279-54-253.03 - Dedication.
Putnam County Port Authority applied for dedication of 21.15 acres of sovereignty land in St. Johns River abutting Section 37, Township 9 South, Range 26 East, Putnam County, to be filled for a barge port facility. A temporary spoil easement to expire on this date was granted on December 23, 1969, to fill the subject area. The biological report was not adverse, and no objections had been received as a result of the notice of sale published in Palatka Daily News with proof of publication filed.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees approved dedication of the sovereignty land to Putnam County Port Authority.

COLLIER COUNTY - File No. 2154-11-253.12 - Dedication.
On November 25, 1969, the Trustees dedicated 22 conservation areas to The Nature Conservancy in connection with the Collier-Read land exchange. Area 23, quitclaimed to the Trustees by Collier-Read Company, was inadvertently omitted from the description for technical reasons. Staff requested authorization to issue a dedication of Conservation Area 23.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the dedication to The Nature Conservancy.

At this point Mr. Adams had to leave the meeting.

MONROE COUNTY - File No. 2266-44-253.12, Application for Advertisement.
Scharf Land Development Co., represented by Phillips & Trice Surveying, applied to purchase a parcel of sovereignty land in the Straits of Florida abutting Government Lot 5, Section 27, Township 67 South, Range 26 East, containing 15.61 acres at Geiger Key in Monroe County. Staff had requested an appraisal.

The applicant planned development of a mobile home subdivision and had agreed to the staff suggestion for construction of a boat ramp and parking space for 20 cars with boat trailers in a suitable area for the public, that area to be conveyed to the state. It was felt that this, in some measure, would return value to the state and compensate for marine biological resources that would be adversely affected by sale and development.

Because of the adverse biological report, several members expressed a feeling that to advertise the land when they felt they would vote against the sale was not proper.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees denied the application for advertisement of the land sought for purchase.

PALM BEACH COUNTY - File No. 994-50-253.12.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized the staff to deactivate the application file of First Bank and Trust Company of Boca Raton, File No. 994-50-253.12, for the reason that the Interagency Advisory Committee recommended bulkhead line be established at the mean high water line. The applicant had not complied with administrative requirements nor submitted application fee; therefore, no refund was necessary.

PALM BEACH COUNTY - Corrective Deed.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of a corrective deed for handling charge of $25.00 as requested by Ralph O. Johnson, attorney representing Mrs. Florence Lindrose, widow, to correct an incorrect bearing in the description of a parcel of land conveyed by the Trustees to Ernest Lindrose in Deed No. 17847 dated August 1, 1927.

LAKES - Mr. Apthorp presented Mrs. Joe Romano and Mrs. Jack Obermeyer who had asked to be heard in support of Save Florida's Lakes campaign, a citizens' project to sponsor a conservation program. He said they began as a result of a problem at Lake McCoy in Highlands County where state road plans had been altered to prevent crossing a portion of the lake.

Mrs. Obermeyer discussed their plans, the pledged support of organizations representing more than ten million people, the assistance of the Game and Fresh Water Fish Division and Director O. E. Frye, Jr. Dr. Frye said biologists from that agency had worked with the people, giving them information to assist in the campaign to save the lakes.

Mr. Christian thanked the ladies for their effort and said the Trustees were trying to do something to protect Florida's lakes.

Governor Kirk said it was a great effort needed in order to get legislation, that all the resolutions, petitions, letters and posters that were presented on this date would be kept for presentation to the Legislature.

Mr. Faircloth had prepared a resolution which on his motion, seconded by Mr. Christian, was adopted, as follows:

RESOLUTION

WHEREAS, Florida's thousands of fresh water lakes, like its rivers and estuarine areas, are irreplaceable natural assets, the protection of which is constitutionally mandated by Article II, Section 7; and

WHEREAS, enactments of the 1969 Legislature initiated statutory implementation of this constitutional provision

(though much more needs to be done); and

WHEREAS, the protection of the quality of water in Florida's lakes and the natural contours thereof must be an integral function of the "Environmental Safeguard" agency which the Cabinet authorized by Resolution adopted on Tuesday, January 6, 1970;

NOW THEREFORE BE IT RESOLVED that the Governor and Cabinet, as the State of Florida Board of Trustees of the Internal Improvement Trust Fund, herewith declare it to be the policy of the Board that the Board will not approve any proposed bulkhead lines nor grant any dredge and fill permits waterward of the ordinary (historic) high water line in fresh water lakes except where other location of lines can be justified fully as being in the public interest.

Mr. Jon Bunz, Regional Biologist of the Game and Fresh Water Fish Division, showed a number of slides depicting problems and damage to several lakes.

Mrs. Romano spoke of their work to Save Florida's Lakes, the concern and support not only from all over the state but from the nation particularly from the standpoint of preserving drinking water in the public interest, and she urged adoption by the Board of resolutions they had prepared. Those resolutions were received for review, with thanks, on motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection.

HIGHLANDS COUNTY - File No. 2287-28-253.03, Easement.
The Department of Transportation requested right of way easement embracing approximately one acre lying between the original meander line and the mean high water line of Lake McCoy in Section 6, Township 37 South, Range 30 East, Highlands County. The applicant had greatly modified construction plans for U. S. 27 in order that all construction would be on existing uplands. No dredging and filling would be done within the waters of Lake McCoy.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of right of way easement to the Department of Transportation.

MADISON AND SUWANNEE COUNTIES - File 2288-40 & 61-253.03, Easement.
The Department of Transportation applied for right of way easement across 2.12 acres of Suwannee River bottoms in Section 35, Township 1 South, Range 11 East, Madison and Suwannee Counties, needed in construction of State Road 8 (I-10) Section 35090-2406, Parcel No. 111.1. No dredging or filling was contemplated within the easement.

The Game and Fresh Water Fish Division and the Department of Air and Water Pollution Control reviewed and had no objections to the project.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the right of way easement.

CHARLOTTE COUNTY - Bridge Permit.
Venture Out in America, Inc., represented by William J. Roberts, applied for two bridge permits connecting lower Manasota Key with Peterson Island, and Peterson Island with Whidden Key, all in

Township 41 South, Range 20 East, Charlotte County. The Board had heard representatives and deferred action on December 16, 1969.

The United States Coast Guard had issued a permit on October 2, 1969, for construction of the bridges. Numerous objections had been filed to the proposed development of the privately-owned islands. The County Commission advised by letter received in the Trustees' office January 15 that by majority vote the County Commission was opposed to the proposed bridges. The staff recommended issuance of the permit for bridges to provide access to applicant's ownership.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the requested permit.

LEVY COUNTY - Artificial Reef Permit.
Cedar Key Lions Club applied for a permit to construct three artificial reefs in the Gulf of Mexico in two feet of water and marked by pilings at the following sites:

1. West Longitude 83°06'25" North Latitude 29°07'46"
2. West Longitude 83°06'14" North Latitude 29°06'16"
3. West Longitude 83°03'22" North Latitude 29°06'32"

The Department of Natural Resources recommended that the permit be granted, that the car bodies and other junk be tied together to resist movement during storms, and that any bouyant materials such as water heaters be punctured.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit at the standard processing fee.

LEE COUNTY - Dredge Permit, to Install Water Main, Section 253.123, File 440.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of a dredge permit to Gasparilla Island Water Association, represented by William E. Bishop, to install a 10-inch water main in Section 14, Township 43 South, Range 20 East, Boca Grande Bayou, Gasparilla Island, Lee County. The biological report was not adverse.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes, and Fill Permit, Section 253.124.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved dredge permit under provisions of Section 253.123 Florida Statutes, to Vacation Time, Inc., represented by Leif E. Johnson, and approved the fill permit under Section 253.124 Florida Statutes, issued by the City of Fort Myers on January 6, 1970, for land in Sections 14 and 23, Township 44 South, Range 24 East, Caloosahatchee River, Lee County. Approximately 25,000 cubic yards of material would be removed from submerged land owned by the City of Fort Myers and placed on submerged land purchased from that city. The biological report was not adverse.

PINELLAS COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.
Subject to Trustees' approval, Pinellas County Water and Navigation

Control Authority granted extension of DO Permit 161 for standard navigation channel in Clearwater Harbor in Section 12, Township 30 South, Range 14 East, to D. O. and Mary B. Elliott. The material removed would be placed on applicants' upland. Biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved extension of the permit, to expire December 31, 1971.

ST. LUCIE COUNTY - Dredge Permit Amended, Section 253.123, File 329.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved the application from Holiday Out of America, Inc., for an amended dredge permit for work in the Indian River in Section 11, Township 37 South, Range 41 East, St. Lucie County, for which a permit was approved June 24, 1969. The applicant discovered it was impossible to maneuver the dredge within the limits previously authorized and agreed to purchase all material removed in rounding the corners of the amended dredge areas. The biological report was not adverse. The applicant tendered check for $2,746.00 as payment for 27,460 cubic yards of material to be removed from the amended dredge areas.

SARASOTA COUNTY - Dredge Permit, Section 253.123, File 436, Submarine Cable Installation.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved a dredge permit to Florida Power and Light Company for installation of a power cable in Venice Inlet in Sections 1 and 2, Township 39 South, Range 18 East, Sarasota County. The biological report was not adverse.

INDIAN RIVER COUNTY - Dock Permit (Channel Markers).
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved permit to The Moorings Development Company, Vero Beach, Florida, to install channel markers adjacent to an existing channel in the Indian River adjacent to applicant's upland in Sections 28 and 29, Township 33 South, Range 40 East, Indian River County, for which all required exhibits and $100 processing fee had been submitted.

MARTIN COUNTY - Dock Permit (Boat Ramp), Peter C. Canovai.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved issuance of state dock permit for a boat ramp adjacent to upland property in the St. Lucie River in Section 33, Township 37 South, Range 41 East, Martin County, for which all required exhibits including $100 processing fee had been submitted.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees approved dock permit to Philip J. Fiebelkorn of Mary Ester, Florida, for a dock facility in Santa Rosa Sound in Section 14, Township 2 South, Range 25 West, Okaloosa County, for which all required exhibits and $100 processing fee had been submitted.

PALM BEACH COUNTY - Agriculture Lease No. 2341.
Consideration of a sublease agreement was deferred until the next meeting.

MARTIN COUNTY - Dredge Permit for Beach Nourishment, Section 253.123. The Town of Jupiter Island, represented by Mack Ritchie of Palm Beach, Florida, applied for permit to dredge 75,000 cubic yards of material from Pecks Lake in Section 37 (Gomez Grant) in Township 39 South, Range 42 East, Martin County. The material was to be used for a beach nourishment project on the ocean side of the island. The matter was also on the agenda of the Department of Natural Resources on this date.

On January 6 the application was removed from the agenda for further review, on January 13 it was deferred again awaiting appropriate response from the Martin County Commission. On this date it was announced that the County Commission approved it by a vote of three to two.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit for beach nourishment purposes.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
January 27, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor (Present part time)
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

On motion duly adopted, the minutes of the meeting held on January 20th were approved as submitted.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Brevard County by resolution adopted November 20, 1969, fixed a bulkhead line adjacent to the east shoreline of the Indian River in Section 2, Township 25 South,

Range 36 East, on Merritt Island in Brevard County. All required exhibits were furnished. There were no objections at the local hearing.

The Department of Natural Resources biological survey report (by Board of Conservation letter dated April 4, 1968) was not adverse. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the bulkhead line on Merritt Island in Brevard County as located by the County Commission.

BREVARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The City Council of Cocoa, Florida, by resolution adopted October 22, 1969, relocated a bulkhead line along the west shore of the Indian River adjacent to State Road 520 in Section 33, Township 24 South, Range 36 East, in the City of Cocoa, Brevard County. All required exhibits were furnished, and there were no objections at the local hearing. However, the biological survey report was adverse and the staff recommended denial on the printed agenda.

Mr. Apthorp explained that after the staff made that recommendation there was further study and conference with officials of the county and the city, that the staff recommended approval provided the city released an area previously dedicated by the Trustees which the city had not used and agreed to use an existing borrow area to take spoil. In exchange for the returned dedication area, the city would desire dedication of the new area within the proposed bulkhead line. Mr. Christian suggested that this matter be re-agendaed. Mr. Faircloth noted that there was an adverse ecological report on both areas. Mr. Adams said the city had held one area hoping to be able to carry out plans, and that they had funds for the new area related to the new bridges.

Motion was made by Mr. Williams, seconded by Mr. Faircloth and adopted, that the bulkhead line adopted by the City of Cocoa on October 22, 1969, be approved subject to release by the city of the area previously dedicated and subject to the city agreeing to take fill material from an existing area over which the Department of Transportation has a temporary easement that will expire in 1971.

PALM BEACH COUNTY - Lake Worth proposed policy.
As information, the Director advised that the staff was working on a policy recommendation to be considered at a later meeting, possibly on February 3rd, that all submerged lands in Lake Worth be withdrawn from sale and that dredging in the lake be limited to navigational access except where the Trustees had made previous commitments. Notice had been placed in the agenda on this date and the Trustees' office had already received numerous comments from interested parties, some for and some against withdrawal from sale and dredging.

PALM BEACH COUNTY - File No. 2032-50-253.12, Denial of Sale. Brockway, Owen and Anderson, representing Frank L. Lash, et ux, applied to purchase 0.701 acre parcel of sovereignty land in Lake Worth abutting Section 3, Township 43 South, Range 43 East, landward of the established bulkhead line in the City of West Palm Beach in Palm Beach County. The Trustees deferred action on April 2 and 22, 1968; on July 9, 1968, the Area Planning Board of Palm Beach County indicated that no objection would be filed to the application; and

on September 24, 1968, the Trustees deferred action pending receipt of a new biological report and up-to-date appraisal.

Biological survey report dated November 10, 1969, stated that sale and development of the subject submerged land by itself should not have significant adverse effects on marine biological resources in the area. The Interagency Advisory Committee reaffirmed location of the bulkhead line. Current appraisal was secured.

On December 9, 1969, the Trustees authorized advertisement of the parcel of submerged land for objections only. Notice was published in the Palm Beach Post, proof of publication filed in the Trustees' office. Objections were filed by Robert T. Bair, Jay Jarrett as Executive Secretary of Federated Conservation Council, and Dexter D. Coffin III, adjacent riparian owner.

Staff recommended denial of the sale, deactivation of file and refund of the amount submitted as payment for the deed. The Director said there were objections from an adjoining owner and a number of private conservation groups.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees took the action recommended by the staff.

ST. JOHNS COUNTY - File No. 2260-55-253.12, Land Sale.
St. Augustine Beach South Corporation, represented by E. W. Pacetti, applied to purchase a parcel of sovereignty land embracing 3.6 acres in the Matanzas River abutting Section 27, Township 8 South, Range 30 East, St. Johns County, landward of the established bulkhead line. The appraised value, which had been rechecked by the staff appraiser, was $535.00 per acre or $1,926.00 for the parcel. On December 2, 1969, the Trustees authorized advertisement, notice was published in The Record, St. Augustine, Florida, and no objection to the sale was received.

The biological survey report was not adverse. The bulkhead line would preserve a large area of productive marine habitat and while only one other bulkhead line had been established in St. Johns County, the County Attorney had assured the staff by letter of May 15, 1969, that the Interagency Advisory Committee recommendations would be considered when the county established bulkhead lines. The application conformed to the July 1st policy of the Trustees and staff recommended confirmation of the sale.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees confirmed sale of the advertised parcel of land.

DADE COUNTY - File No. 2262-13-253.03. Agreement.
On January 14, 1969, the Trustees had authorized the Attorney General to intervene in that cause styled National Industries, Inc., vs Enterprise Properties, Ltd., for the purpose of protecting the Trustees' interest in certain land in Dade County. It was determined that the Trustees had an interest in that part of the South 800 ft. of Tract "A" Maule Federal Highway Industrial Sites, Plat Book 46, Page 55, lying between the meanders of Big Snake Creek (Oleta River) in Fractional Section 9, Township 52 South, Range 42 East, Dade County.

As a result of the intervention the representative for the defendant Enterprise Properties, Ltd., Mr. Logan Manders, appeared before the Trustees on October 7, 1969, asking that lands in which the Trustees had an interest be sold to the applicant. The Trustees deferred

action, staff having advised that appraisal should be secured. An appraisal by John E. Milloway, M. A. I., valued the Trustees' interest in the property at $35,000, which the Director said was below the offer made by the applicant. The staff had arrived at an understanding with the applicant, not to be considered as binding the Board, that $45,000 would be appropriate compensation for the Trustees' interest in the property.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees agreed to divest their interest in the subject property in accordance with the terms of the Memorandum of Understanding executed on January 15, 1970, by attorney for the applicant, Melvyn Kessler, and Trustees' staff member Fred Vidzes, subject, however, to all official concurrence in pending litigation and bankruptcy proceedings and official order thereon.

ESCAMBIA COUNTY - Dredge to Improve Navigation, Section 253.123 F. S., File 375.

James R. Croyle, President, Valleybrook Developers, Inc., applied for permit to dredge a navigation channel 50 ft. wide, 8 ft. deep and 500 ft. long in Bayou Grande in Section 4, Township 3 South, Range 31 West, Escambia County. Applicant tendered $200 as payment for 2,000 cu. yds. of material to be removed.

The biological survey report was adverse in that some material was being spoiled channelward of the mean high water line. However, the applicant had submitted a statement that no filling would be done channelward of the mean high water line.

Motion was made by Mr. Faircloth, and duly adopted, that the dredge permit be approved.

LEE COUNTY - Dredge Permit, Section 253.124(6) F. S., File 102.

Staff requested authority to cancel a dredge permit issued under the provisions of Section 253.124(6) to Gulf American Corporation, Fort Myers Construction Division, Cape Coral, Florida, November 4, 1969. The company advised that they would be unable to perform the work for one year and would apply for another permit then.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized cancellation of the dredge permit.

PALM BEACH COUNTY - Dredge to Improve Navigation, Section 253.123 F. S., File 438.

Malcolm Seymour of Jupiter, Florida, applied for permit to dredge a turning basin 60 ft. wide, 5 ft. deep, 105 ft. long, and a navigation channel 50 ft. wide, 5 ft. deep and 150 ft. long in Section 31, Township 40 South, Range 43 East, Palm Beach County. Applicant tendered check for $50 as minimum payment for 400 cubic yards of overdredge material. The biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge permit.

ST. LUCIE COUNTY - Dredge to Improve Navigation, Section 253.123 Florida Statutes.

The City of Fort Pierce applied for a permit to dredge a public navigation channel 200 ft. wide, 10 ft. deep and 1,500 ft. long in the Indian River in Section 3, Township 35 South, Range 40 East,

St. Lucie County. The material removed would be placed in an existing channel to be replaced by the new channel. The biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge permit.

MONROE COUNTY - Florida Keys Junior College.
On November 25, 1969, the Trustees authorized readvertisement for competitive bids for removal of limestone material from a channel to be constructed in the Gulf of Mexico adjacent to Florida Keys Junior College property in Monroe County. Notice was published in the Tallahassee Democrat and the Key West Citizen but no sealed bids were received on this date.

The Director said it appeared that if the channel was dredged all at once there was no market for the surplus material, that to pile it up would create a problem, and he would like to explore the possibility of dedicating the area to the Junior College and let them handle the dredging of the channel.

Mr. Christian said he had inspected the Junior College site that had been given by the Board, that the only possible way to expand was to use submerged land, and it would be desirable to dedicate not only the channel area but additional land for logical expansion of the college property.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized the Director to work up a suitable proposal for dedication of submerged land to Florida Keys Junior College for consideration at a later date.

BROWARD COUNTY - Dock Permit.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of commercial dock permit to Harbor Haven, Inc., for a dock in New River Sound in Section 1, Township 50 South, Range 42 East, Broward County, for which all required exhibits and $100 processing fee had been submitted.

LEE COUNTY - Channel Markers.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of a dock permit to South Seas Plantation, Captiva Island Company, for installation of channel markers adjacent to an existing channel in Pine Island Sound in Section 22, Township 45 South, Range 21 East, adjacent to Captiva Island in Lee County, for which all required exhibits and $100 processing fee had been submitted.

OKALOOSA COUNTY - Dock Permit.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of commercial dock permit to L. Vernarr Kelly, doing business as Kelly Boat Services, Inc., for construction of a marina facility in East Pass Lagoon in Township 2 South, Range 24 West, Moreno Point, Okaloosa County, for which all required exhibits and $100 processing fee had been submitted.

PALM BEACH COUNTY - Dock Permit.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of commercial dock permit to Robert

Pedeville of Palm Beach, Florida, for installation of a commercial dock in Lake Worth in Section 3, Township 43 South, Range 43 East, Palm Beach County, for which all required exhibits and $100 processing fee had been submitted.

PINELLAS COUNTY - Dock Permit.
On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees approved issuance of commercial dock permit as approved by Pinellas County Water and Navigation Control Authority, to Kenneth W. Spitts at Treasure Island, Florida, for a dock at Lot 32, Isle of Palms, Section 23, Township 31 South, Range 15 East, Boca Ciega Bay, for use by apartment tenants. All required exhibits and $100 processing fee had been submitted.

PALM BEACH COUNTY - Temporary Spoil Easement, Channel Maintenance and Beach Nourishment.
The U. S. Corps of Engineers, Jacksonville District, required a temporary spoil area for a period of one year commencing March 1,1970, to accommodate spoil from channel maintenance dredging at Lake Worth Inlet, Palm Beach County. On April 12, 1966, the Board had granted temporary spoil easement No. 2182 that expired September 1, 1968, covering the area desired for the present project which embraced 55 acres south of the inlet and generally within the area utilized by the sand transfer plant.

Staff recommended waiver of biological report and grant of easement subject to waiver of objection by the Bureau of Beaches and Shores of the Department of Natural Resources.

On motion by Mr. Christian, seconded by Mr. Williams and adopted, the Trustees accepted the staff recommendation as the action of the Board.

LAKES - Proposed Resolution.
As directed by the Trustees, the staff had reviewed the resolution offered last week by Mrs. Joe Romano and Mrs. Jack Obermeyer on behalf of Save Florida's Lakes, a citizens' campaign to sponsor a conservation program. As result of the review, a resolution was prepared by the staff and its adoption recommended.

Mr. Faircloth made a motion that the recommendation be approved. However, before any further action was taken, the Director advised that the two ladies were present, that the staff had not felt it could recommend certain portions of their resolution about which they were particularly concerned. The resolution prepared by the staff commits the Trustees to preserve not only the 257 lakes in the Save Florida's Lakes version, but the thousands of lakes in Florida in which the state has a complete or partial interest or jurisdiction. Mr. Apthorp said it did not bind the state to follow only one method of determining a lake's mean high water line, that E. W. Bishop's work (specified in the other resolution as the sole guideline as to lake levels) was valuable but was done from the geological point of view primarily, whereas other information also should be used in establishing mean high water lines as the basis for bulkhead lines in lakes. The staff had used the proffered resolution as the basis for the version recommended for adoption, much of the language was comparable; and when questioned by Mr. Christian, Mrs. Romano did not specify what was objectionable but urged passage of the "people's resolution" as prepared by them for execution by the Governor as an executive action and by the Trustees. She said they could speak

only for the 257 lakes (listed in a publication of the Game and Fresh Water Fish Commission), that the staff version said "much more needs to be done", that water quality should be recognized as the primary public interest and take precedence, that the staff resolution did not go far enough.

The members asked questions and pointed out the recommended resolution did protect the lakes, that changes in the law might be necessary, and while they were concerned about the 257 lakes, any policy should be applied to many other lakes in Florida.

Asked to comment, Mr. Bishop said he had attempted to devise a field method of determining the high water line that could be used in the absence of long term records, which had proved satisfactory in many lakes; but other things had to be taken into consideration such as permanent lowering in some instances or encroachment into lakes that he felt should be taken into consideration.

Mr. Adams and Mr. Christian expressed the thanks of the Board for the great amount of work that had been done by Mrs. Romano, Mrs. Obermeyer and others. Motion was made by Mr. Christian and adopted that the resolution be withdrawn and that the Director meet further with the sponsors of the Save Florida's Lakes campaign in an effort to explain the differences and possibly re-agenda the matter.

PINELLAS COUNTY - File No. 306-52-253.12, City of Dunedin-Honeymoon Island Project.

The present developers of Honeymoon Island, the Caladesi Corporation and Honeymoon Isle Development Corporation, requested approval of an Amendment to Contract with the Trustees and the City of Dunedin that would provide for the completion of the public beach as originally conceived, reconvey between 600 and 800 acres of sovereignty land in St. Joseph Sound to the Trustees to be placed in an Aquatic Preserve, and provide for the opening of Hurricane Pass which in the original plan was to be closed.

Under original contract dated May 19, 1959, approved by the Trustees On May 12, 1959, executed by the Trustees, City of Dunedin and Curlew Properties, Inc., a plan of development known as "Bartholomew Plan" was submitted to the Trustees and approved on July 8, 1959. That plan had not been completed and the present developers were willing to modify the original plan and project to conform with present conditions. The modified plan was created through the efforts of the Trustees' staff and the developers, representatives of the City of Dunedin, Staff of the Department of Natural Resources, representatives of the United States Fish and Wildlife Service and Coastal Engineering Laboratory. Staff also conferred with representatives of the Corps of Engineers.

The Director with maps and overlay showed the difference between the original and revised plan, and recommended execution of the Amendment to Contract.

The City of Dunedin, through its Mayor-Commissioner, City Clerk and Acting City Manager, had agreed to the Amendment to Contract.

Governor Kirk was present for this portion of the meeting, which was reconvened at 2:00 p.m. so that he could hear the interested parties who desired to make statements.

Members noted that all parties to the original contract had agreed to the amendment of the contract, that the county had not been a party and by telegram Senator Roger Wilson requested deferment

because it had not been brought before Pinellas County Water and Navigation Control Authority and questions had been raised regarding the financing of the corporation, that it had been reported that the Chairman of the County Commission was in favor of the amendment but one or more commissioners was not.

Mr. Adams commented that the state now had a contract, but under the new proposal much of the land would come back to the Trustees for an aquatic preserve, the pass would remain open, and he was in favor of the plan the staff had been able to work out to amend the 1959 contract.

Mayor Gerald S. Rehm, backed by the entire City Commission of Dunedin, City Attorney Charles S. Baird, and Messrs. Baya M. Harrison and Billy L. Rowe for the developers, reviewed the history of the development, the original plan of which did not please some people of Dunedin. Commissioner Emil O. Lindner had borne the expense of taking the contract to court, and it was upheld as legal. But certain modifications had been obtained by the opposing group, organized as the Dunedin Civic Association; and they now endorsed the contract amendment and new plan as being in the public interest. Mr. Baird pointed out a weakness in the old contract - no completion date for the dredging. Under the amendment all dredging in the city is to be completed in one year and all other dredging within five years from issuance of permits. Reverend James Fresh, representing Dunedin citizens, said the development would triple tax revenue.

Governor Kirk said the present Board was getting back much submerged land from an earlier Board's give-away and it was a good deal, representing the present tone of the Trustees.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the Amendment to the Contract for execution.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * *

1-27-70

Tallahassee, Florida
February 3, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Fred O.Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the minutes of the meeting held on January 27, 1970, were approved as submitted.

BAY COUNTY - Aquaculture Lease to Marifarms, Incorporated. Pursuant to October 7, 1969, authorization by the Trustees to advertise for a commercial aquaculture lease of 2,500 acres of submerged land in West Bay, Bay County, one bid was received by the Board on November 25 from Marifarms,Inc., enclosing check in the amount of $15,000 for the first 1½ years's rental. The Trustees received the bid pending the holding of a public hearing in Panama City, which was conducted on December 18, 1969, by Mr. Herbert Benn, hearing officer. Mr. Benn's report had been submitted to the Trustees.

All requirements of Chapter 69-46, Acts of 1969, having been met, staff recommended award of lease to the only bidder, Marifarms, Inc., consideration for the lease to be an annual rental of $4 per acre for the first 1½ years, $6 per acre for the period from 1½ through 5 years, and $10 per acre for the period from 6 through 10 years, with royalty to be assessed following 18 months and reviewed after 36 months.

The Director explained that the staff had studied the application carefully, there were three biological reports, the Trustees and the former director, Mr. Randolph Hodges, had taken the position that legislative direction was needed, and staff recommendation was made pursuant to the Act of the Legislature. There are requirements in the lease for ingress and egress by the public, $180,000 bond to protect the surrounding waters and the bottoms that would continue in the state's ownership, notification when poisoning of predators was to be done, and other lease provisions complying with the guidelines adopted by the Trustees on August 26, 1969. The staff considered the lease as proper use of state land under the Act.

Representative John Robert Middlemas, District 8, objected to leasing at this time. He thought there was not enough information and research, the area was too large and productive to be removed from public use for what might be short-term gain, and he considered the biological report too adverse.

Mr. Arthur W. Hemphill, Executive Secretary of Organized Fishermen of Florida, said they were not against mariculture, some of which was being carried on in other places in the state. But they were concerned about the productivity and value of the area proposed to be leased, lack of knowledge of the value of compensation by

releasing shrimp, possibility of damage by the rotenone and potassium permanganate to be released in the waters. Under the present circumstances, he and many persons at the public hearing had requested that the lease not be granted.

Dr. Paul F. Bente, Jr., President of Marifarms, Inc., said objectors had exaggerated many points and to put the lease in proper perspective he cited highlights of the two years' work done by the company, the large commercial shrimp hatchery nearing completion, research and technical training already done and to be continued, creation of markets for the premium shrimp as well as for fish from local fishermen for feeding the shrimp, benefit to the area and plans to start commercial shrimp farms in other places. He said West Bay waters, while not the best, would serve the purpose and if left in their natural situation were in danger of becoming polluted.

Representatives from the Panama City-Bay County Chamber of Commerce and Committee of 100 were present to show their support for the mariculture project in Bay County.

Senator J. H. "Jim" Williams, District 13, discussed the work of the legislative committee which amended the bill many times. He felt that further amending was needed to see that biological reports were first available to the committee, that County Commissioners should be asked to take a positive stand on such leases, and caution must be exercised in proposals that sealed off the marshes behind leased areas.

After discussion in which Mr. Christian pointed out that in event of violation of the guidelines and lease provisions the Board could cancel the lease, motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the Trustees accept the bid of Marifarms, Inc., by awarding to that firm the aquaculture lease.

DADE COUNTY - Interama Lands.

Mr. Edward Swenson, Chairman of the recently created Interama Authority, appointed by the Dade County Commissioners, requested an opportunity to appear before the Trustees to make a proposal for the Authority regarding disposition by sale or lease of certain portions of the Interama site which is now owned by Dade County. Under the provisions of Chapter 69-138, the Trustees must agree to such disposition.

Staff recommended that any approval by the Trustees for disposition be limited to only that portion of the land necessary to raise enough funds to meet the county's obligations through June 30, 1970, that such disposition be based on the priorities which had been previously established by the Interama Authority, any disposition by sale or lease be limited to Site No. 1 west of Biscayne Boulevard and Site No. 2-C just east of Biscayne Boulevard (total acreage 12.77 acres), and that release of any of the land would be conditioned on agreement by Interama Authority and Dade County to join the Trustees in recommending to the 1970 Session of the Legislature a bill which would provide for half of the hard obligation of Interama to be paid from state sources not to exceed $6,000,000 and the other half be paid from county sources by referendum or any method acceptable to the county.

Governor Kirk had asked for deferment but those present were given an opportunity to be heard as there had not been time to notify them.

Mr. Swenson said the Authority was dedicated to the idea that the land should be used for public purposes but had inherited a great indebtedness; had recommended to Dade County Commission and secured its approval of a proposed sale or lease of designated portion of

land totalling 195 acres and another 100 acres not specified; desired Trustees' approval of the plan because the Dade County Circuit Court would attempt to determine whether there was already technical default with the bond issue. Mr. Swenson said they were trying to place Interama in a sound fiscal position so that they could proceed with the problem of deciding what was best to do with the land. A variety of solutions had been considered. There was a possibility of the sale of 200 acres requested by the City of North Miami, which had put in water and sewer system in the 680 acres of improved property and had agreed that if allowed to acquire some of the property for public use as part of an overall plan to preserve the remainder of the 1,700 acres, the city might forgive the amount owed. Mayor Gissendanner of North Miami said the people in the north part of Dade County were very interested in preserving theInterama land and in a university site. Mr. George Headley, executive director of Interama Authority, was also present in the interest of the request presented by Mr. Swenson.

Governor Kirk said the county could pay the bond interest, that if any one sold any of the land it should be the State of Florida, and he questioned the actions of the bond trustees in the matter. He said that since the land had gone to Dade County but the people had not voted for the tax referendum, the county should either return the land to the state or continue the payments until such time as the Legislature took some action.

Representative Ralph D. Turlington, of the House of Representatives Appropriation Committee, spoke of the strong urging from Dade County that this land not be sold but be used only for a public purpose, of unfavorable conditions to sell the bonds now, and said he thought the Legislature would act promptly and would not favor turning Interama lands over to private use.

Miami City Manager Melvin Reese said the City Commission opposed disposal of any of this land, was in a position to solicit the return of it to the City of Miami which could make the interest payments, was very concerned about the protection of the public's interest in the concept of Interama and would make land available for a university. He said the city would go on record against any sale for private use, and would favor only sale for public purposes or to North Miami for public purposes.

Mr. Christian suggested that the Board take no action until the court had decided. The general feeling of the members was that the land should not be sold. Mr. Williams had been advised that the county could take care of the interest payments until the Legislature convened in about sixty days and had an opportunity to consider the problem. The Director said the staff was prepared to assist with preparation of legislation along with the financing.

Governor Kirk commented that he had never said the state would not ultimately sell or encumber some of the land if and when it was in the best interest of the people of Florida. He mentioned that the city had not been very cooperative in the past, but was assured by Mr. Reese of cooperation.

Mr. Sam Fletcher, a Councilman of North Miami, suggested that the authority recommend to the County Commission the transfer of land either to the State of Florida or to the City of Miami.

At the request of Governor Kirk, and without objection, the Board deferred consideration of the Interama Authority request.

LAKES - Resolution.

Mrs. Joe Romano and Mrs. Jack Obermeyer were present with a revised resolution on behalf of Save Florida's Lakes. The Trustees had heard their request at the two previous meetings. Mr. Apthorp recommended execution of a resolution modified by the staff to satisfy the previous objections of Mrs. Romano. He said he had just seen a copy of the ladies' new version which he thought would meet the purpose and he recommended acceptance of it.

The policies expressed included a commitment not to set bulkhead lines below the line of mean high water, to preserve and set aside the 257 lakes for recreational benefits, fishing, swimming, boating, water skiing and natural scenic beauty, to preserve the water quality, and to protect the lakes from degradation and encroachment.

The Director said that Senator Stone had asked him to advise the Board that he was in favor of this action.

Upon further discussion and urging by the "ladies of the lakes", on motion by Mr. Williams, seconded and adopted, the Trustees executed the resolution and the Governor signed the executive order, both in the form prepared by the ladies. Copies are attached and made a part of these minutes.

BAY COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 429.

Norman P. Gross applied for permission to dredge an access channel 40 ft. wide by 3 ft. deep and two perimeter-type channels 40 ft. wide by 3 ft. deep to connect to the access channel in Section 11, Township 3 South, Range 14 West, Mill Bayou, Bay County. Material removed would be placed on the applicant's upland. While the biological report was adverse, the applicant had amended his plan to comply with the recommendations in the report.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the dredge permit.

BREVARD COUNTY - Dredge and Fill Permit, Sections 253.123 and 253.124 Florida Statutes.

Rodney S. Thompson, President of T-Craft, Inc., was granted a dredge and fill permit by the City of Titusville for work in the Indian River in Sections 33 and 34, Township 21 South, Range 35 East, Brevard County. On December 15, 1964, the Trustees approved the permit; however, it expired before applicant could commence operations. Approximately 5.0 acres are to be dredged and 9.7 acres filled, all the applicant's ownership.

The project was adjacent to City Park, currently being developed by the City of Titusville. The biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved the dredge and fill permit.

MANATEE COUNTY - Modification of Dredge and Fill Permit, Sections 253.123 and 253.124 Florida Statutes.

Dewey A. Dye, on behalf of Curtiss Wright Corporation, applied for amendment of a dredge and fill permit authorized by the Trustees on

August 26, 1969. The borrow area had been reduced from 607,000 cubic yards to 343,000 cubic yards. Applicant tendered check in the amount of $34,300 as payment for the material.

The fill area previously approved was amended only to correct differences that occurred between aerial photo drawings and on-the-ground engineering. The amended area was negligible, but was brought to the attention of the Trustees as information.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved modification of the dredge and fill permit.

PALM BEACH COUNTY - Dredge Permit, Beach Replenishment, Section 253.123(2)(c), File 416.
Waterway Beach Condominium Apartments applied for a permit to remove unsightly debris and other materials from along the shore in front of applicant's property along the Intracoastal Waterway in Section 30, Township 40 South, Range 43 East, Palm Beach County. The area will be replenished with pure white beach sand, trucked in by the applicant.

The biological report was adverse. The Bureau of Beaches and Shores had no objection to the proposed work.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of dredge permit for the project as described.

DIXIE AND FRANKLIN COUNTIES - Dock Permit (Navigational Aids)
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees waived the $100 processing fee and approved the application from the Department of Natural Resources for permits authorizing replacement of existing channel markers at the following locations:

Franklin County - Ochlockonee Bay in Township 6 South, Ranges 1 East and Ranges 1 and 2 West;
Dixie County - The mouth of the Suwannee River in Townships 13 and 14 South, Range 11 East.

BAY COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Christian, duly adopted, the Trustees approved issuance of a state commercial dock permit to Clyde Douglas Weber who submitted $100 processing fee and all required exhibits for construction at Pitt Bayou in St. Andrews Bay in Section 24, Township 4 South, Range 14 West, Bay County.

LEE COUNTY - Dock Permit (Test Piles), Section 253.03 Florida Statutes.
On motion by Mr. Christian, duly adopted, the Trustees waived the $100 processing fee and approved issuance of a permit to the Department of the Army, Coastal Engineering Research Center, Jacksonville District, Corps of Engineers, to drive test piling offshore from Lacosta Island in the Gulf of Mexico in Section 1, Township 43 South, Range 20 East, Lee County.

BREVARD COUNTY - File No. 253.123 - 154.
At the request of the Governor, action was deferred on the staff request for authority to make a refund to Dr. L. R. Wells whose permit for securing fill material had expired. He had asked for renewal of the permit. However, the proposed dredge area was in the

Banana River Aquatic Preserve, plans for disposal of the fill material required establishment of a bulkhead line, and the proposed use had drawn objections from the Game and Fresh Water Fish Commission and various administrative branches of Brevard County.

DADE COUNTY - Lease Guidelines.
The Trustees held title to a number of large tracts of land approximately 6 to 12 miles west and northwest of Miami, being scattered, undeveloped lands in a sparsely developed part of the county with a substantial amount of surrounding land zoned for both heavy and light industrial use. Two mining companies were interested in leasing several tracts for excavating limerock aggregate and developing the mined areas into waterfront parks for public recreation.

Staff reviewed the matter with the State Geologist, Air and Water Pollution Control Department, Division of Interior Resources, Game and Fresh Water Fish Commission, and Division of Recreation and Parks, which agencies were in agreement that the Trustees could benefit from revenue received from the mining and the State of Florida from development of large park and public recreational areas at a minimum of cost to the state.

The Director asked for an expression from the Board as to whether or not a proposed lease for rock mining in Dade County should be worked up for consideration. Staff recommended adoption of certain basic guidelines, as follows: 30-year maximum term for each lease; competitive bidding; basic annual rental to be fixed in advance with a royalty to be submitted with each bid to be applied against annual rental; a master recreational development plan to be submitted with each bid conforming to minimum requirements as specified in advance by the state.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved establishment of guidelines as suggested for proposed leasing for rock mining.

GLADES COUNTY - Grazing Lease.
Lykes Bros., Inc., holder of Grazing Lease No. 2358 expiring on January 21, 1970, requested renewal of the lease covering Lots 1, 2, 3 and 4 of Section 34, Township 40 South, Range 32 East, 195.11 acres in Glades County. Lease is for grazing only, with provision for 90-day cancellation by Trustees and annual rental of $3 per acre. However, staff appraiser recommended increase to $4 per acre.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees approved renewal of the grazing lease at $4 per acre annual rental and other terms the same.

LEE COUNTY - File No. 2296-36-253.03, Right of Way Easement.
On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees granted request from the Board of County Commissioners of Lee County by resolution dated January 14, 1970, for an easement for right of way covering approximately 1 acre across bottoms of Hancock Creek (Yellow Fever Creek) in Section 10, Township 44 South, Range 24 East, Lee County, to be used for construction of a 4-lane bridge. The Board waived requirement of biological and ecological study as no filling of submerged bottoms was contemplated.

MONROE COUNTY - Dedication No. 24399, Road Right of Way.
On November 1, 1966, the Trustees dedicated a 50-ft. wide strip of submerged land in the Bay of Florida between Big Coppitt Key and Halfmoon Keys for public road purposes, to Monroe County. The grant was conditioned upon the requirement that the county use and maintain the strip as provided, or the dedication could be terminated at the option of the Trustees. By resolution adopted on January 13, 1970, the Board of County Commissioners requested extension of the dedication to November 8, 1972.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved the extension requested subject, however, to inclusion in the instrument of a provision that the dedication automatically terminates if not used during the period requested.

MONROE COUNTY - Deed No. 20949, Restrictive Covenant.
At the request of Governor Kirk, the Trustees deferred action on request from the City of Key West for release of a restrictive covenant contained in Deed No. 20949, with respect to leasing of a rectangular parcel lying within the 110 acre grant known as "Smathers Beach."

MONROE COUNTY - File No. 2266-44-253.12, Refund.
On January 20, 1970, the Trustees denied authorization to advertise the purchase application of Sharf Land Development Company. Pursuant to Trustees' Rule No. 200-2.05(11), the applicant was entitled to a $50 refund of the application fee ($75) that had been submitted.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized refund of $50 to the applicant.

Mr. Phil Bennett, Staff Counsel, was appointed as hearing officer concerning the proposed policy of limiting sale of submerged land and dredge and fill permits in Lake Worth. He was also appointed to hear a controversy which had arisen between Hampton Homes, Inc., and Brevard County.

Following the regular meeting Mr. Dickinson made a motion, seconded by Mr. Williams, that the order of the Circuit Court in litigation between the Trustees and the City of Islandia not be appealed. The motion was adopted.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

2-3-70

EXECUTIVE ORDER
EMERGENCY IMMEDIATE ACTION
RESOLUTION FOR THE PEOPLE OF THE STATE OF FLORIDA FOR THEIR SURVIVAL

WHEREAS, the citizens of the State of Florida and their neighboring states need drinking water to survive and

WHEREAS, there are 257 state owned lakes (as listed in Exhibit 1) at this time and any others as they become state owned that belong to all the people, containing said water and

WHEREAS, there are only few remaining left of good quality and

WHEREAS, with this guarantee that from this date, February 3, 1970 forward, no further damage or risk to the present water quality of these lakes will occur and that no further degradation to the water quality or lakes will be permitted and that these lakes will not fall prey to further encroachment and there will be no further selling of these lakes which belong to all the people or new permits granted or old permits validated or rights of ways or easements granted as affects these 257 lakes, that in the public interest precedence be in this instance, the water of these lakes remain for drinking for survival of our people. That no other instance, county, state agency, private or public enterprise as relates to this be acknowledged or granted to take precedence as being in the public interest. That this resolution protect for the people these lakes from further contradictory acts or legislation over which the executive branch of Florida's government has control as relates to this emergency action resolution. That the bulkhead lines be determined as the mean high water line according to E. W. Bishop's recommendations as stated in the 1967 edition exclusively of Florida Lakes Part 1 & 2, all parties concerned are satisfied with these techniques established on said date for the best protection of these lakes and accepted and recommended by Game and Fresh Water Fish Commission, plus other valid biological and hydrographic information.

WHEREAS, the State of Florida does take emergency action now to hereby set these 257 lakes aside for our water supply for ourselves and future generations as well as for recreational benefits, fishing, swimming, boating, water skiing and natural scenic beauty and

WHEREAS, be it further resolved that we should utilize our God-given lakes, our natural assets intended for man's benefit instead of destroying them. Do not destroy what we as Floridians cherish, more than that, these lakes are our Life Blood!

NOW, THEREFORE, I, Claude R. Kirk, Jr., by virtue of the authority vested in me as Governor of the State of Florida, do hereby set these lakes aside to be preserved in their natural condition, pristine, attractive, useful and enjoyable for Floridians and tourists.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 3rd day of February in the year of our Lord nineteen hundred and seventy and in the recorded history of Florida four hundred and fifty-eight.

(s) CLAUDE R. KIRK, JR.
GOVERNOR

ATTEST: (s) TOM ADAMS
SECRETARY OF STATE

2-3-70

EMERGENCY IMMEDIATE ACTION
RESOLUTION FOR THE PEOPLE OF THE STATE OF FLORIDA FOR THEIR SURVIVAL

WHEREAS, the citizens of the State of Florida and their neighboring states need drinking water to survive and

WHEREAS, there are 257 state owned lakes (as listed in Exhibit 1) at this time and any others as they become state owned that belong to all the people, containing said water and

WHEREAS, there are only few remaining left of good quality and

WHEREAS, with this guarantee that from this date, February 3, 1970, forward, no further damage or risk to the present water quality of these lakes will occur and that no further degradation to the water quality or lakes will be permitted and that these lakes will not fall prey to further encroachment and there will be no further selling of these lakes which belong to all the people or new permits granted or old permits validated or rights of ways or easements granted as affects these 257 lakes, that in the public interest precedence be in this instance, the water of these lakes remain for drinking for survival of our people. That no other instance, county, state agency, private or public enterprise as relates to this be acknowledged or granted or take precedence as being in the public interest. That this resolution protect for the people these lakes from further contradictory acts or legislation over which the executive branch of Florida's government has control as relates to this emergency action resolution. That the bulkhead line be determined as the mean high water line according to E. W. Bishop's recommendations as stated in the 1967 edition exclusively of Florida Lakes Part 1 and 2, all parties concerned are satisfied with these techniques established on said date for the best protection of these lakes and accepted and recommended by Game and Fresh Water Fish Commission, plus other valid biological and hydrographic information.

WHEREAS, the State of Florida does take emergency action now to hereby set these 257 lakes aside for our water supply for ourselves and future generations as well as for recreational benefits, fishing, swimming, boating, water skiing and natural scenic beauty and

WHEREAS, be it further resolved that we should utilize our God-given lakes, our natural assets intended for man's benefit instead of destroying them. Do not destroy what we as Floridians cherish, more than that, these lakes are our Life Blood!

IN TESTIMONY WHEREOF, the Trustees, for and on behalf of the State of Florida Board of Trustees of the Internal Improvement Trust Fund, have hereunto subscribed their names and have caused the official seal of said State of Florida Board of Trustees of the Internal Improvement Trust Fund to be hereunto affixed, in the City of Tallahassee, Florida, on this the 3rd day of February, A.D. 1970.

CLAUDE R. KIRK, JR.
Governor

TOM ADAMS
Secretary of State

EARL FAIRCLOTH
Attorney General

FRED O. DICKINSON, JR.
Comptroller

2-3-70

BROWARD WILLIAMS
Treasurer

FLOYD T. CHRISTIAN
Commissioner of Education

(SEAL)
BOARD OF TRUSTEES
OF THE INTERNAL IMPROVEMENT
TRUST FUND

DOYLE CONNER
Commissioner of Agriculture

As and Constituting the Board of
Trustees of the Internal Improvement
Trust Fund

* * * * * * * * *

Tallahassee, Florida
February 11, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund held a special meeting on this date in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Secretary of State Tom Adams, who had not been present on February 3 when the Trustees adopted a motion not to appeal the order of the Circuit Court in litigation between the Trustees and the City of Islandia, on this date referred to the official transcript of that action which showed that the cabinet rules had not been followed to properly bring up a matter not on the agenda. Mr. Adams made a point of order that the action taken would be null and void and of no effect.

Governor Kirk said unless there was an objection, the action was declared null and void. The record should reflect that the action taken was of no effect.

It was so ordered.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

2-11-70

Tallahassee, Florida
February 17, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion duly adopted, the Trustees approved minutes of the meetings held on February 3 and 11, 1970.

TRUSTEES FUNDS - The Cabinet considered a report from Executive Director Chester Blakemore, Department of General Services, with respect to an increasingly critical parking problem in the Capitol Center. Several avenues of possible financing construction of additional parking areas had been studied and the only available source of funds appeared to be the Internal Improvement Trust Fund. The Secretary of State noted that in the past such funds had been allocated to acquire and make usable properties in the Capitol Center, and action should be taken to avoid a crisis when the Legislature and its employees were here. The Comptroller said that was a part of the consideration and providing parking was necessary.

Governor Kirk questioned use of Trustees' funds, calling attention to the Attorney General's ruling that such funds could not be used for improvements at the Governor's Mansion. Treasurer Broward Williams said the Legislature should be asked to consider the problem and appropriate necessary funds, that more parking garages and charges for parking spaces should be considered.

The Trustees' Director was asked for an expression. He had discussed the matter and felt that the first priority for use of the fund should be acquisition of real property; however, if the proposed use was approved he recommended the amount be limited to actual costs and not more than the amount of $87,000 requested by Mr. Blakemore.

On motion made by Mr. Adams, seconded by Mr. Dickinson, with Mr. Christian and Mr. Conner voting "Aye" and Mr. Williams and Governor Kirk voting "No", the Trustees authorized transfer of funds limited to the actual construction costs of the parking areas, not be exceed $87,000.

Also, on motion by Mr. Dickinson, seconded by Mr. Christian and adopted with Mr. Williams voting "No", the Trustees approved amendment of the operating budget accordingly.

EXPERIMENTAL SOIL SAMPLING - On August 13, 1968, the Trustees authorized issuance of a permit requested by Judge Russell O. Morrow on behalf of Mr. Fritz Wanzenberg for taking soil samples from submerged land from Martin County to the northern end of Monroe County

to evaluate the metals that might be in the sediment.

On this date Judge Morrow made a report to the Board on the results of that work and progress made in perfecting processes and operating equipment. He said it appeared that results would be of commercial value and might be even better on the southwest Florida coast if the Trustees would grant permission for taking soil samples. The Trustees received the report favorably, Mr. Dickinson commenting on the development of a process to identify and mine metals from the waters of Florida and its economic possibilities.

The Director suggested that the application for permit be placed on the agenda next week. Judge Morrow was assured that it would be unnecessary for him to make another presentation.

Without objection, action was deferred.

LEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Lee County by resolution adopted on August 24,1966, located and fixed a bulkhead line along the west shore of Pine Island in Section 9, Township 45 South, Range 22 East, Lee County.

The biological survey report was not adverse, but there were some objections at the local hearing. The staff recommended approval. On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the bulkhead line as fixed by Lee County.

PINELLAS COUNTY - City of Treasure Island Erosion Control Line; Beach Restoration Project, Mean High Water Line.

The City of Treasure Island by Resolution No. 268 adopted on August 19, 1969, requested establishment of a line defining the limits between ownership by upland riparian owners and sovereignty lands between 77th and 104th Avenues at Treasure Island. The Pinellas County Engineering Department located "Stationing Line, Range 500" as shown on the Corps of Engineers construction plans for Treasure Island Beach Nourishment Program, conforming as nearly as practicable to the mean high water line. The mean high water line was located prior to construction, the Trustees approved it on September 10, 1968, and easements for the work were granted on October 15, 1968.

Staff recommended approval of the "Stationing Line", which when recorded might be used as boundary between public and private ownership. Appropriate instruments could be exchanged to clearly define limits of interest.

Mayor Julian Fant and others representing the City of Treasure Island were present and thanked the Trustees and other state agencies for helping with the successful beach restoration project.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees approved the "Stationing Line" as recommended by the staff (to have the effect of a bulkhead line).

PINELLAS COUNTY - Bulkhead Line Revision, Section 253.122 F. S. The Pinellas County Water and Navigation Control Authority on November 8, 1960, pursuant to request from the Trustees' office, deleted the portion of the established bulkhead line of the city of St. Petersburg Beach that crossed the Intracoastal Waterway right of way line. The bulkhead line as originally established could be

construed as allowing filling of the waterway; by deleting the appropriate segments, any extension of upland into the waterway would be effectively prevented.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees approved the bulkhead line revision.

SARASOTA COUNTY - Bulkhead Line Relocation, Section 253.122 F. S. At the request of the Director, action was deferred for further study of an application from the Sarasota County Water and Navigation Control Authority for relocation of a bulkhead line in Section 6, Township 37 South, Range 18 East.

MONROE COUNTY - Termination of Dedication.
On February 17, 1965, the Trustees granted Dedication No. 23938 to Monroe County for public road purposes over sovereignty lands of Lignumvitae Key Bank. To date the road has not been constructed and staff requested authority to notify the County Commission of Monroe County that the dedication will be cancelled according to terms of the dedication which stipulated that if the lands were not used within three years for the stated purposes, the dedication might be cancelled sixty days after notification.

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the Trustees authorized notification of the county that the dedication would be cancelled according to the terms of the instrument.

MONROE COUNTY - Release Restriction, Deed No. 20949.
The City Attorney of Key West requested consideration of the application, deferred on February 3, 1970, for release of a restrictive covenant in Deed No. 20949 relating to leasing a parcel within the 110-acre grant known as "Smathers Beach." The covenant prohibits any leasing of the beach area; however, the city due to lack of funds had not been able to provide needed public sanitary facilities and desired to lease a rectangular parcel 100 ft. by 175 ft. to private interests who would install at no cost to the city the needed facilities and would operate a concession stand.

Staff recommended release of the leasing restriction only conditioned, however, that a licensing agreement be entered into between the City of Key West and the entrepreneur, subject to Trustees' review and approval of plans and specifications of proposed facilities and review and approval of licensing agreement.

Mr. Adams questioned the need to release the restriction, and brought up the procedure used by the Park Service for private concessionaires. The Director explained that in this case the land is not owned by the state but by the city, and the staff would not recommend any release of restriction unless the Trustees would have the final approval of the facilities and licensing agreement.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees deferred action for a week.

WALTON COUNTY - File No. 2297-66-253.03, Easement for Right of Way.
On motion by Mr. Adams, seconded by Mr.Williams and adopted, the Trustees approved the application from the Department of Transportation for an easement over 0.13 acre of bottoms of Fourmile Creek

in Sections 9 and 16, Township 1 South, Range 19 West, Walton County, to be used for reconstruction of bridge on State Road 20.

No dredging or filling was contemplated and the Department of Natural Resources reviewed the plan and offered no objection.

LEE COUNTY - File No. 2118-36-253.12, Land Sale.
The application of H. W. Marsh, et ux, to purchase a parcel of sovereignty land embracing 0.2 acre in Ostego Bay abutting Section 29, Township 46 South, Range 24 East, Lee County, was considered on December 23, 1969, and advertised for objections only. On the advertised sale date, February 10, 1970, there was no meeting of the Trustees and action was deferred until this date. Staff recommended that an updated appraisal be obtained.

Without objection, action on the application was deferred for obtaining an updated appraisal.

PALM BEACH COUNTY - File No. 2215-50-253.12, Land Sale Application.
On January 6, 1970, the Trustees authorized advertisement of a parcel of sovereignty land in Lake Worth containing 0.82 acre for which John Moore, et ux, offered the appraised value. Applicant desired to enlarge the size of his residential upland lot. The biological report was not adverse.

Notice of sale was published in the Palm Beach Post. Several objections were received, including protests from the City of West Palm Beach, the Area Planning Board of Palm Beach County, Robert T. Bair of Federated Conservation Council, and nearby upland owners.

On motion by Mr. Christian, seconded by Mr. Williams and Mr.Adams, the Trustees denied the application to purchase and directed the staff to deactivate the file.

PALM BEACH COUNTY - File No. 2031-50-253.12, Land Sale Application.
On January 6, 1970, the Trustees authorized advertisement of a parcel of sovereignty land in Lake Worth containing 0.778 acre for which the abutting upland owner, Arthur J. Paynter, offered the appraised value. Applicant desired to extend his residential upland lot to conform to areas already filled to the north. The biological survey report was not adverse, and the parcel was landward of the bulkhead line reaffirmed by the Interagency Advisory Committee on June 27, 1968. In the July 9, 1968, meeting the Area Planning Board of Palm Beach County offered no objection.

Notice of sale was published in the Palm Beach Post and objections were received from the City of West Palm Beach, Spencer Boat Co., Inc., Palm Cove Marina, Dexter Coffin III, and Robert T. Bair.

On motion by Mr. Adams, seconded by Mr. Christian and Mr. Williams, the Trustees denied the application to purchase and directed the staff to deactivate the file.

DADE COUNTY - File No. 2268-13-253.12, Application to Advertise.
Application was made by Robert Livingston, on behalf of Alec P. Courtelis and Jay I. Kislak, to purchase three contiguous parcels of sovereignty land in Biscayne Bay abutting Lots 57 through 62 inclusive in Block "B" Mary & Wm. Brickell Subdivision, Plat Book "B" Page 96, public records of Dade County, containing 2.665 acres in Section 30, Township 54 South, Range 41 East, in the City of

Miami, Dade County. Applicants offered the appraised value of $92,869.92 for the parcel, for use for high rise apartments.

The parcel was landward of the bulkhead line confirmed by the Interagency Advisory Committee on June 20, 1968. The biological report dated November 24, 1969, stated that sale and development of the parcel would have adverse effects. The biological report dated November 13, 1968, stated that the west shore of Biscayne Bay north of Rickenbacker Causeway had been affected previously by extensive dredge and fill operations.

Staff recommended advertisement for objections only. The Director said this was in a vicinity where a number of sales had been made, adjoining areas filled, and he had met with the county engineers and thought progress was being made as to the bulkhead lines. Mr. Adams said he thought that unless the progress continues, the Board should hold up this application when it comes back for action after the advertising.

Motion was made by Mr. Dickinson, and adopted without objection, that the parcel be advertised for objections only. Mr. Dickinson said it should be made clear to the applicant that approval was for the advertisement only and indicated no commitment for final confirmation of the sale.

MONROE COUNTY - File No. 2295-44-253.12, Application to Advertise. Application was made by the United States Navy for conveyance of a parcel of sovereignty land embracing 0.06 acre in Key West Harbor abutting Pier No. 3, U. S. Naval Station Annex, Key West, Florida, for the $100 minimum consideration. The area was to be used for improvement of berthing facilities.

The biological survey report showed that the area had been developed and affecting by dredging and filling, and modification of the submerged land would not significantly affect marine biological resources.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees authorized advertisement for objections only.

VOLUSIA COUNTY - File No. 2184-64-253.12, Application to Advertise. V. G. Stepp, on behalf of R. E. Chaddock, applied to purchase a parcel of sovereignty land in the Halifax River abutting Section 27, Township 15 South, Range 33 East, Volusia County, appraised at $2,777.00 per acre or $250.00 for the parcel containing 0.09 acre, more or less.

The parcel was a small pocket with seawall constructed along the north side, did not extend to the bulkhead line as established by Volusia County, and staff was of the opinion that the application came under the hardship provisions of the July 1, 1969, policies adopted by the Trustees. The Interagency Advisory Committee had recommended that the bulkhead line be established at mean high water.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 2290-44-253.42, Land Exchange. James E. Glass on behalf of Joseph G. Moretti, Inc., requested

conveyance of 8.5 acres of sovereignty land in Florida Bay abutting Sections 22 and 27, Township 62 South, Range 38 East, Key Largo, Monroe County, in exchange for which applicant would convey to the Trustees 7.5 acres of upland covered with a heavy growth of mangroves and would also convey approximately 100 acres of land within erroneously located meander lines.

The biological survey report dated October 30, 1969, was adverse to dredging and filling in the area, desired for development as a mobile home subdivision. The applicant had greatly modified his original plan, eliminating a large area and offering the 7.5 acres of upland to the Trustees. Staff felt that the 7.5 acres was of substantial value from a conservation standpoint and would offset damage caused by the proposed dredging and filling. An appraisal had been requested as to the comparable values.

On motion by Mr. Conner, seconded by Mr. Adams and adopted, the Trustees authorized the proposed land exchange advertised for objections only.

MARTIN COUNTY - Dredge Permit, Section 253.123, File 459.
On motion by Mr. Christian, duly adopted, the Trustees authorized issuance of dredge permit to Palm Beach Cable TV Company, in care of Donald M. Shepherd, for dredging to install a cable in Jupiter Sound in Section 19, Township 40 South, Range 42 East, Martin County, for which applicant had tendered check for $100 as the processing fee.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Pinellas County Water and Navigation Control Authority issued Dredge Only Permit DO178, subject to Trustees' approval, to Lawrence P. Gerwig for a channel 50 ft. wide by 5 ft. deep in Boggy Bayou in St. Joseph Sound in Section 26, Township 27 South, Range 15 East.

The biological report recommended only 30-ft. wide top cut. However, the Pinellas County Public Works Director explained that 30-ft. top cut would result in a V-shaped bottom and would prohibit larger boats from using the channel. Staff recommended approval of the application.

On motion by Mr. Christian, seconded by Mr.Adams and adopted, the Trustees authorized issuance of the permit as requested.

VOLUSIA COUNTY - Dredge Permit, Section 253.123, and Dock Permit, Section 253.03 Florida Statutes.
Blue Springs Condominium, by Bradford A. Prince, applied for permission to install a dock, a hyacinth boom, and to dredge in the area of the dock in order to improve navigation in Blue Springs Run, St. Johns River, Fatio Grant, Township 18 South, Range 30 East, Volusia County. The dredged material removed would be placed on applicant's upland. Biological report was not adverse.

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the dredge permit to improve navigation, and dock permit for $100 processing fee.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Williams, seconded by Mr. Conner and adopted, the Trustees approved issuance of commercial dock permit as approved by

Pinellas County Water and Navigation Control Authority, to F. R. Colo for a dock at Lot 9, Island Estates, Unit 5-A in Section 5, Township 29 South, Range 15 East, St. Joseph Sound, for apartment tenants. Required exhibits and $100 fee were submitted.

PALM BEACH COUNTY - Dock Permit for Navigational Aids.
On motion by Mr. Williams, seconded by Mr. Dickinson and adopted, the Trustees approved issuance of dock permit under Section 253.03 Florida Statutes, to Jupiter Inlet District, represented by Brockway, Owen and Anderson Engineers, Inc., for the installation of navigational aids within Jupiter Inlet in Section 32, Township 40 South, Range 43 East, Palm Beach County. Payment of the $100 processing fee was waived.

AQUATIC PRESERVES - G-8 St. Martins Marsh, Citrus County.
On October 21 and 28, 1969, the Trustees approved the establishment of a system of Aquatic Preserves throughout the State of Florida.

The Trustees deferred action for ninety days on establishment of the St. Martins Marsh Preserve for the purpose of coordinating county planning with the preserve. The plan had not been completed, however staff and county representatives had worked out a mutually acceptable boundary for the preserve. The Citrus County Audubon Society had recommended that the preserve be approved as modified. Staff recommended creation of Aquatic Preserve G-8 within the boundaries as modified. The Director said approval by the Board would complete the system of proposed preserves, twenty-six in number.

Motion was made by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, that the Trustees approve the establishment of Aquatic Preserve G-8 as modified. As there had been modifications in the boundaries as now established, the Trustees directed the staff to revise the information on Aquatic Preserves.

ALACHUA COUNTY - Easement for Power Line.
On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved an application from the City of Gainesville for an easement across land used by the Santa Fe Correctional Farm, in order to provide a 100-foot wide power line right of way in Sections 26, 27 and 35, Township 9 South, Range 20 East, Alachua County, containing 20.275 acres, more or less, needed by the city as a tie-in with the new power plant under construction. The right of way will not be close to any buildings, and was recommended by the Department of Health and Rehabilitative Services.

DADE COUNTY - Easement for Road Right of Way.
Dade County Port Authority, represented by Deputy Director Richard H. Judy, by Resolution R-1331-69 requested additional right of way in connection with construction of a roadway to the LeJeune Interchange serving Miami International Airport Terminal. The parcel requested, containing 2,250 square feet in Section 29, Township 53 South, Range 41 East, Dade County, was part of land in use by the Department of Transportation which had approved the request. Staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees authorized issuance of right of way easement.

CAPITOL CENTER - Staff requested authority to advertise for bids for removal of six dilapidated, unsightly structures on Trustees' property which had been determined to be of no use to the state, as follows: (1) one-story wood house at 208 Blount Street, (2) two-story wood house at 111 Blount Street, (3) one-story wood house at 316 W. St. Augustine Street, (4) two-story wood house at 315 W. Lafayette Street, (5) garage behind building at 309 E. Gaines Street, (6) concrete block warehouse at 223 W. Blount Street.

Removal of the structures would be coordinated with the Department of General Services and the Division of Archives, History and Records Management.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted, the Trustees authorized advertisement for bids for removal of the old buildings.

DADE COUNTY - Rock Mining Lease.
On February 3, 1970, the Trustees approved basic guidelines for leasing certain lands in Dade County for rock mining and developing public recreation areas. For one application, the staff had drawn a proposed mining lease for consideration, and recommended that Hiatus Lots 4 and 5 in Townships 53/54 South, Range 39 East, containing 1,015.6 acres in Dade County, be advertised for competitive bids for 10-year lease with option to renew for two succeeding 10-year terms, annual minimum rental of $25,000 for the first two years and $40,000 each succeeding year to be credited against cumulative production royalty, performance bond in the amount of $100,000, and requirement that applicant submit a master recreation plan providing for release of portions of the area for public recreation use prior to the end of the lease term. The Director said that through a market survey of the value of such rock, it was determined that a reasonable minimum royalty would be four per cent of the gross sales which would be used as a starting point.

Motion was made by Mr. Williams, seconded by Mr. Dickinson, that the staff advertise for competitive bids on this lease. Members asked about another application which the Director said had been received and the staff was processing. The same criteria would be recommended for both leases. A motion was then made that the lease application on the agenda today be approved for advertising but held for a week to allow a second similar application to be placed on the agenda for approval. After approval of the second application for rock mining lease, then both leases might be advertised at the same time for competitive bids. It was so ordered.

Mr. Adams pointed out that advertising did not commit the Board to accept any bid, and while the money was important as a proper return to the state for the rock it would be equally as important to have the public recreation areas developed and left after the mining operations were completed. The recreation area plans submitted by the applicants would be most significant and would be studied with the assistance of the Division of Recreation and Parks.

VOLUSIA COUNTY - Skytower. The Trustees' office had been notified that a skytower was being constructed on the beach eastward of the existing seawall at Daytona Beach. On-site inspection showed that the structure was landward of the mean high water line and seaward of the seawall. The Volusia County Grand Jury issued a subpoena to the Director and requested further investigation be made to determine the relationship of the structure with respect to the mean high water line.

A topographic survey and beach profile study made on February 2, 1970, indicated that the structure was located 139 feet, more or less, landward of the mean high water line, and 58 feet, more or less, eastward of the seawall. It had been determined that the Trustees do not have stututory authority over the land lying landward of the mean high water line. However, the structure might adversely affect the sovereignty lands eastward thereof.

The area landward of the mean high water line had been used for recreational purposes by the general public for many years. Mr. Stephen Boyles, State Attorney for the 7th Judicial Circuit, as well as the staff of the Trustees and the Department of Natural Resources, asked the Governor and Cabinet as the Board of Trustees and as head of the Department of Natural Resources and as constitutional officers of the State of Florida having an interest in matters of this nature, to assist Mr. Boyles in protecting the public's interest in the beach area to be affected by the construction.

The Director said it did not appear that any legal action was called for by the Trustees at this time, that there was lack of clear authority on the part of the Trustees or the Department of Natural Resources, that possibly a change in legislation was needed. Mr. Adams mentioned a situation recently reported in Dade County that was also not on state sovereignty land; but he thought such instances might possibly cause damage to the beaches which the state in other locations had to spend funds to correct.

Mr. J. Kermit Coble, an attorney, said the matter was in litigation, that the project had the approval and permit from the City of Daytona Beach, that applicant sought all available advice before beginning the structure that was adjacent to the pier, but he had not expected to make any presentation today pending the court action.

No action was taken by the Trustees.

SUBJECTS UNDER CHAPTER 18296

ALACHUA COUNTY - Blanche Randolph of Sanford, Florida, applied for a parcel of land certified to the State of Florida under tax sale certificate Part-687 of July 6, 1896, described as West 1/3 of South 1/2 of Lot 8, Block 3, Brown's Addn. to Gainesville as per Plat Book "A", Page 64, Public Records of Alachua County. Applicant, an heir of former owner on June 9, 1939 (date title vested in the state under Section 192.38 F. S.), offered $100 for the fractional lot.

On motion by Mr. Conner, duly adopted, the Trustees approved the application and issuance of deed under provisions of Chapter 28317, Acts of 1953, the so-called Hardship Act, for the price offered.

PALM BEACH COUNTY - The City of Boca Raton applied for about 36 acres of land in Section 17, Township 47 South, Range 42 East, Palm Beach County, being land included in a large tract that the city is acquiring for a municipal golf course.

Tax sale certificates 1971 of 1931 and Part 927 of 1934 were purchased June 14, 1939, by Lake Worth Drainage District - five days after June 9, 1939, the date title to the land vested in the State of Florida under Section 9, Chapter 18296, Acts of 1937. Tax deeds were issued by the then Clerk of the Circuit Court in the name of the State of Florida on August 7, 1939, to said District and taxes were paid on the land in question each year since that date. The title company noted that the two tax deeds were issued after the

land reverted to the state under the Murphy Act.

On motion by Mr. Conner, seconded and duly adopted, the Trustees authorized conveyance to the City of Boca Raton under Chapter 21684, Acts of 1943 (Section 192.38(1)(b), of the 36 acres title to which was in question, without advertisement and public sale, for $360.00.

REFUNDS - On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees authorized refund of the amounts submitted by the following two applicants for release of state road right of way reservations contained in the numbered Murphy Act deeds, for the reason that the Department of Transportation did not recommend the releases:

Broward County Deed No. 1701 - $30 refund to W. George Allen;
Lake County Deed Nos. 2503, 2516, 2579 and 2610 - $50 refund to Johnie A. McLeod.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
February 24, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

Minutes of the meeting of February 17 were submitted for approval. Calling attention to page nine, Mr. Adams said it was his understanding that the rock mining lease was approved but that advertising was held up a week to allow the second lease to be placed on the agenda and approved, after which both could be advertised at the same time.

Subject to correction of that portion of the minutes as requested by Mr. Adams, the Trustees approved minutes of February 17, 1970.

CAPITOL CENTER - Trustees' Funds for Property Acquisition. The Director requested authority to purchase fourteen properties in the Capitol Center for up to ten per cent above the appraised value. In those cases where a price cannot be arrived at between the owner and the staff, he requested authority to begin condemnation proceedings. There remained $209,797 in the current year's budget designated for purchase of capitol center property. An estimated $605,800 would be required to purchase the parcels listed below. Therefore, an increase in the current budget by $396,003 was also requested.

The Director referred to a map showing state ownership in the capitol center, and the boundary of that area as determined by the Capitol Center Planning Committee prior to its abolishment. The staff had worked with the Department of General Services, which would be called on if condemnation became necessary. The Director explained the program of acquisition and priorities and advised that he had consulted the Planning and Budgeting Division, that acquisition of the fourteen parcels would tie up all Trustees' funds except that for operating costs and investments, for a period from six months to a year.

The Board approved a suggestion by the Treasurer that the Director investigate and report on other land remaining in private ownership within the capitol center boundaries. Mr. Williams said the Legislature might be approached for whatever monies and authority might be needed to purchase the other property for the capitol center.

Mr. C. DuBose Ausley, president of the Tallahassee Chamber of Commerce, thanked the Trustees for their continued interest in expanding the Capitol Center, which the Chamber of Commerce had long been on record as favoring.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees granted the authority requested by the staff to proceed with the purchase of the properties described below and to increase the current budget by $396,003.

1. Executive Office Building and property, 908, 910 S. Bronough Street, described as E½ of Lot 8, Sub. of N½ of NE¼ of Section 1, Township 1 South, Range 1 West, less N. 10 ft. thereof; also the E½ of Lot 322, Old Plan Tallahassee together with a 10 ft. strip adjacent thereto on the South
2. Annie Mae Ferrell property, 417-425 E. Madison Street, described as the East 5/8 (106.25 ft.) of the N 70 ft. Lot 28, Old Plan, Tallahassee
3. Hannah L. Carlton property, 612 S. Duval Street, described as South 57.8 ft. of Lot 255, Old Plan, Tallahassee
4. Genevieve Crawford property, 614 S. Duval Street, described as Lot 251 and the east 42.33 ft. Lot 252 Old Plan, Tallahassee
5. Henry and G. M. Gray property, 209 W. Gaines Street, described as Lot 9 and E½ of Lot 10, Capitol Place
6. Nanna J. Sonderup property, 812 S. Duval Street, described as North 65 ft. Lots 21, 22, Capitol Place
7. F. D. Hartsfield property, 818 S. Duval Street, described as South 75 ft. Lots 21, 22, Capitol Place
8. T. S. Green property, South side Gaines Street between Duval and Bronough Streets, described as Lot 12 and E 15 ft. of Lot 13, Capitol Place
9. Ashmore Brothers property, 214 Bloxham Street, described as Lots 17, 18, Capitol Place
10. R. W. Ashmore, Jr., property, 220, 222 Bloxham Street, 813,817 Bronough Street, described as Lots 15, 16 Capitol Place

11. Carl S. Shivar property, 811 Bronough Street, described as S 33 ft. of W 27.5 ft. of Lot 13 and S 33 ft. of Lot 14, Capitol Place
12. J. W. and F. S. Simmons, Sr., et al, property, W. Gaines between Bronough and Boulevard (north side of street) described as West 70 ft. of South 100 ft. of Lot 319 Old Plan
13. Nathaniel Harrison property, 214 Blount Street, described as Lot 47, Capitol Place
14. Clarence E. Weaver, et al, property, S. Adams between Bloxham and Blount Streets (West side of street), described as N½ of Lots 57 and 58, Capitol Place

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DADE COUNTY - Bulkhead Lines. The Secretary of State asked for information on the Dade County bulkhead line situation. The Director advised that the county met last week and adopted the line which the Trustees' staff had recommended, providing for preservation of mangrove growth in several areas in lower Biscayne Bay. The county had not yet forwarded the bulkhead line to the Trustees.

Mr. Adams said that when the bulkhead line was furnished, the Metro Commission of Dade County should be commended for its leadership in the light of the difficulty and controversy involved in trying to preserve areas high in natural resources.

LEON AND GADSDEN COUNTIES - Easement for Right of Way.
File 2300- 20 & 37 - 253.03.
The Department of Transportation requested an easement covering 0.2 acre parcel of Ochlockonee River bottoms in Section 8, Township 2 North, Range 1 West, to construct a bridge on State Road S-157, Section 55570-2602, Parcel No. 100.1.

The Department of Natural Resources reviewed the plans and as no dredging or filling was proposed, offered no objection.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the easement.

BREVARD COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Richland, Inc., of Melbourne applied for permission to dredge a navigation channel 50 ft. wide by 4 ft. deep in Section 26, Township 29 South, Range 38 East, in Mullet Creek, Brevard County. The material removed would be placed on applicant's upland. Applicant tendered check for $669.00 as payment for 6,690 cubic yards of material, since the area was within an aquatic preserve.

The biological report was adverse. However, the proposed channel would provide needed access to navigable waters and the staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the permit.

COLLIER COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Marco Island Development Corporation applied for permit for dredging interior canals on applicant's property and making channel connections to navigable waters in Sections 5, 6, 7 and 8, Township 52 South, Range 26 East, Marco Island, Collier County. All dredging would be done in canals with plugs left in, in order to minimize silting.

The biological report was adverse, however the applicant would be working within his ownership and not in sovereignty lands. Staff would require that the upland work be completed before the channel connections were made to minimize siltation from the upland work. Answering Mr. Adams' question regarding the biological damage, Mr. Apthorp said two proposed dredge areas were eliminated from the plan which also should minimize biological damage.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of the dredge permit.

DADE COUNTY - Dredge Permit, Section 253.123, File No. 443. Richard E. Danielson, Jr., applied for permission to dredge in Biscayne Bay in Section 40, Township 54 South, Range 41 East, Dade County, to improve navigation and allow dockage of a large cruiser. The proposed dredge area was approximately 190 ft. by 200 ft. by 8 ft. deep, and applicant tendered check for $480.50 as payment for the 4,805 cubic yards of overdredge material.

The biological report was adverse and recommended certain changes in the project plan. However, the applicant was unable to comply with the suggested changes which would position his craft within the turning basin of sightseeing boats that visit Vizcaya daily. In an effort to avoid additional dredging and destruction of marine life, applicant proposed to have access to his basin through the existing Vizcaya channel.

On motion by Mr. Adams, seconded by Mr. Faircloth and Mr. Conner, the Trustees authorized issuance of the dredge permit to improve navigation.

LEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Lee County Electric Cooperative, Inc., applied for permit to dredge a navigation channel 50 ft. wide by 5 ft. deep in Pine Island Sound in Township 45 South, Range 22 East, Lee County, needed to allow installation of a power line across Pine Island Sound.

The biological report was not adverse. The material removed from the channel would be replaced in the channel when construction was completed.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and Mr. Adams, and adopted, the Trustees authorized issuance of the dredge permit.

MONROE COUNTY - Dredge Permit, Section 253.03 F. S., File No. 155. Key West Naval Air Station applied for permit to remove 4,500 cubic yards of material from Boca Chica Key in Sections 29 and 30, Township 67 South, Range 26 East, Monroe County. The material removed would be used to create a wading beach area for naval personnel.

The biological report was adverse.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of the dredge permit requested by the U. S. Naval Air Station.

MONROE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The Department of Transportation requested an amended permit to dredge, pursuant to recommendations of the United States Fish and

Wildlife Service, a borrow area 250 ft. wide, 600 ft. long, and 30 ft. deep in Sections 32 and 33, Township 66 South, Range 30 East, Florida Bay in Monroe County. The application appeared on the Trustees' agenda on January 6, 1970. Dimensions of the original borrow area were 600 ft. by 600 ft. by 16.8 ft.

Motion was made by Mr. Adams, seconded by Mr. Dickinson and adopted, that the Trustees authorize issuance of the amended dredge permit to the Department of Transportation.

MONROE COUNTY - Dredge & Fill, Section 253.03 Florida Statutes. Richard Switlik applied for permit to remove 2,458 cubic yards of material from a finger fill placed on sovereignty land, and to dredge a navigation channel 60 ft. wide by 20 ft. deep in purchased submerged land in Section 10, Township 66 South, Range 32 East, Boot Key, Monroe County. The material will be used to fill approximately 8.3 acres of purchased submerged land. Applicant tendered check for $245.80 as payment for the material to be removed from sovereignty land.

The biological survey report was adverse, but the Director said the applicant had changed the configuration of his channels and amendment of the project plan should minimize damage to marine resources.

On motion by Mr. Adams, seconded by Mr. Faircloth and Mr. Conner, and adopted without objection, the Trustees approved issuance of the permits.

MONROE COUNTY - Dredge Permit, Section 253.03, File No. 156. Norman R. Dunn, Bonefish Harbor, Marathon, Florida, applied for permission to dredge 30 ft. wide by 150 ft. long navigation channel in Section 19, Township 65 South, Range 34 East, Grassy Key, Florida Bay, in Monroe County. The material removed will be placed on applicant's upland.

The biological report was not adverse.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the permit.

NASSAU COUNTY - Dredge Permit, Section 253.123, File No. 417. E. L. Dell, Jr., Dell Industries of Waycross, Georgia, applied for permission to connect a 75 ft. wide by 8 ft. deep navigation channel to the Amelia River in Section 46, Township 1 North, Range 28 East, Nassau County. The material removed would be placed on applicant's upland.

The biological report was not adverse, and applicant submitted a signed statement that the creek referred to in the biological report would not be filled during his ownership.

Motion was made by Mr. Williams, seconded by Mr. Conner and Mr. Faircloth, and adopted, that the dredge permit to improve navigation be approved.

OKALOOSA COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Richard Duke of Destin, Florida, applied for permit to dredge 450 cubic yards of material from Indian Bayou in Lot 27, Block "J", Moreno Acres Subdivision, Okaloosa County, to deposit upon his upland property. He tendered check for $50 as minimum payment for dredge material.

The biological report was not adverse.

On motion by Mr. Williams and Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved issuance of the permit.

PALM BEACH COUNTY - Fill Permit, Section 253.124, Florida Statutes, Deed Nos. 17786 and 18658.
J. S. Matthew and Frank Sawyer had been granted a fill permit on February 3 by the Town of Highland Beach, Florida, to fill a .09 acre parcel of submerged land in Section 28, Township 46 South, Range 43 East, Intracoastal Waterway, Palm Beach County, subject to the approval of the Trustees.

The biological report was partially adverse. The Director said the area was south of Lake Worth and had been previously conveyed.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees approved the fill permit.

PALM BEACH COUNTY - Dredge Permit, Section 253.123; Fill Permit, Section 253.124; Deed File No. 1963-50.
Marbet Corporation, by Donald M. Shepherd, applied for permission to dredge 11,000 cubic yards of material from Lake Worth in Section 28, Township 42 South, Range 43 East, Palm Beach County, to fill approximately 0.7 acre in Lake Worth in said section previously purchased. Applicant tendered check for $1,100 as payment for 11,000 cubic yards of material to be removed.

The fill permit was issued by the City of Riviera Beach on March 4, 1969, subject to Trustees' approval. Applicant had amended his application by reducing the dredge area as recommended by the biological survey report. The Director recommended approval.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the application for dredge and fill permits.

PINELLAS COUNTY - Fill Permit, Section 253.124 Florida Statutes.
At the request of the Director, an application from Investors Development Corporation for a fill permit for construction of a seawall at the bulkhead line was removed from the agenda for further study and investigation of reported activities.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Pinellas County Water and Navigation Control Authority issued a dredge-only permit, No. DO-179, to the City of Tarpon Springs, subject to approval by the Trustees, for maintenance dredging in the Anclote River Turning Basin in Section 12, Township 27 South, Range 15 East, Pinellas County. The spoil material would be trucked away, and the biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees approved the dredge permit to the City of Tarpon Springs.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes.
Pinellas County Water and Navigation Control Authority issued a dredge-only permit to the City of St. Petersburg on an emergency basis to allow the city to remove a shoal from in front of the Central Yacht Basin in Old Tampa Bay in Section 21, Township 31 South, Range 17 East, Pinellas County.

Staff requested waiver of requirement for a biological survey report as provided for in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted, the Trustees approved the dredge permit as requested.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. TelePrompter Corporation, by Herman W. Goldner of St. Petersburg, Florida, applied for permission to dredge to install a television cable in Township 32 South, Range 16 East, Boca Ciega Bay, Pinellas County. Applicant tendered check for $100 in payment of the required processing fee.

The biological survey report was not adverse.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit for utility installation.

POLK COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Florida Game and Fresh Water Fish Commission applied for permit to remove fill material and a limited amount of aquatic vegetation from Lake Parker in Section 17, Township 28 South, Range 24 East, Polk County, for the purpose of creating a large public fishing area. All materials removed from the project area will be carried away or placed above the ordinary high water line.

The biological survey report was not adverse.

On motion by Mr. Conner, seconded by Mr. Williams and adopted, the Trustees approved issuance of the dredge permit.

PUTNAM COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Leland R. Beckham, Chairman of Putnam County Port Authority, applied for an amended permit to dredge a navigation channel 100 ft. wide by 12 ft. deep and a turning basin 400 ft. wide by 12 ft. deep in the St. Johns River in Section 37, Township 9 South, Range 26 East, Putnam County. The material removed will be placed in an abandoned Corps of Engineers spoil area by use of a downspout to minimize siltation. The original permit for the project was approved by the Trustees on December 23, 1969. The application was amended to comply with recommendations of the U. S. Fish and Wildlife Service as to channel alignment and proposed spoil areas.

The biological survey report was not adverse.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees approved issuance of the amended permit.

ST. JOHNS COUNTY - Dredge Permit, Section 253.123, File No. 448. Roy L. Turknett, Jr., President, Ponte Vedra Shores, Inc., applied for permission for maintenance dredging in two navigation channels 50 feet wide by 3 feet deep that connect to the North River in Section 30, Township 6 South, Range 30 East, St. Johns County. The removed material would be placed on the applicant's upland.

The biological report was not adverse.

Motion was made by Mr. Faircloth, seconded by Mr. Williams and adopted, that the Trustees approve the application for dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123, File No. 415. K. F. Scheier applied for permission to dredge a navigation channel 30 ft. wide by 3 ft. deep in Section 2, Township 19 South, Range 30 East, Lake Monroe, Volusia County. The material removed would be placed on applicant's upland. The biological survey report was not adverse.

Mr. Adams noted the depth of the channel was not very great and questioned whether the applicant just wanted to obtain fill material. On checking the file, the Director advised that applicant originally planned to place his material alongside the channel but the staff required deposit on his upland to minimize siltation.

On motion by Mr. Adams, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the dredge permit.

VOLUSIA COUNTY - Dredge Permit, Section 253.123, File No. 444. Lester R. Oldaker, Riverside Garden Apartments, Daytona Beach, Florida, applied for permit to dredge a navigation channel 100 ft. wide, 886 ft. long and 3 ft. deep along the front of his property in Section 25, Township 14 South, Range 32 East, Halifax River, Volusia County. The material removed would be placed on applicant's upland. The biological survey report was not adverse.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of the dredge permit to improve navigation.

WALTON COUNTY - Dredge Permit, Section 253.123, File No. 407. On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of permit to A. C. Howe of Niceville, Florida, for dredging to connect a 30 ft. wide by 5 ft. deep navigation channel to Choctawhatchee Bay in Sections 30 and 31, Township 1 South, Range 21 West, Walton County. The biological survey report was not adverse.

MONROE COUNTY - Dock Permit, Section 253.03, Florida Statutes. On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of state dock permit to Robert W. Townson, represented by Bailey, Glass and Post, Inc., authorizing construction of a private dock and enclosing a basin on submerged land owned by applicant in Florida Bay at Upper Matecumbe Key in Section 32, Township 63 South, Range 37 East, Monroe County, for which all required exhibits and $10.00 processing fee had been furnished. The biological survey report was not adverse.

BREVARD COUNTY - Dock Permit, Section 253.03, Florida Statutes. On motion by Mr. Williams, duly adopted, the Trustees approved issuance of state commercial dock permit to Venetian, Incorporated, represented by McLaughlin Engineering Company, authorizing construction in New River Sound at Mooney Point in Section 12, Township 50 South, Range 42 East, Brevard County, for which all required exhibits and $100 processing fee had been furnished.

COLLIER COUNTY - Dock Permit, Section 253.03, Florida Statutes. On motion by Mr. Williams, duly adopted, the Trustees waived the $100 processing fee and authorized issuance of permit to the Collier County Conservancy authorizing construction of instrument stations in connection with a scientific study by the Institute of Marine

Sciences, Miami, Florida, in Rookery Bay, Collier County.

CHARLOTTE COUNTY - Quitclaim Deed. Earl Drayton Farr, Jr., attorney, requested a quitclaim deed covering a tract of 66.84 acres in Section 25, Township 41 South, Range 23 East, Charlotte County, deeded to F. Claude Roberts by the Florida Game and Fresh Water Fish Commission on October 24, 1967, in a land exchange authorized by Chapter 67-826, Laws of Florida.

Pursuant to Section 253.03 Florida Statutes, as amended by Chapter 67-2236 Laws of Florida, the Trustees are vested with title to lands formerly owned by agencies of the state, and said law might have vested title to the subject land in the Trustees. Therefore, staff legal counsel recommended that the Trustees quitclaim any interest they might have in the land for a $25.00 handling charge.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted, the Trustees authorized issuance of the quitclaim deed.

DADE COUNTY - Rock Mining Lease. On February 17, 1970, the Trustees authorized advertisement for competitive bids for a rock mining lease on a 1,015.6 acre tract of land in Dade County, following basic guidelines approved February 3, 1970. The Board directed that the advertising be held for a week for consideration of a second tract of land.

Another tract, containing 1,000 acres, more or less, in Sections 22 and 23, Township 53 South, Range 39 East, Dade County, was available and suitable for limerock mining and developing into public recreation areas following the guidelines established and minimum royalty and annual advance rental approved for the tract last week. Staff recommended that all of Section 22, less S½ of S½; and the W½, N½ of SE¼ and S½ of NE¼ less S½ of SW¼ of Section 23, Township 53 South, Range 39 East, containing 1,000 acres, more or less, be advertised for competitive bids for 10-year lease with option to renew for two succeeding 10-year terms, annual minimum rental of $25,000 for the first two years and $40,000 each succeeding year to be credited against cumulative royalty, production royalty, master recreation plan providing for release of portions of the area for public recreation use prior to the end of the lease term, performance bond in the amount of $100,000, royalty to be no less than four per cent of the value of the processed limerock loaded at the leased premises.

The Director explained that an additional item of criteria would be a cents-per-ton figure, that a minimum of 6.5¢ per ton would be used in the advertisement. The four per cent royalty would be in the lease, and the Trustees would share in any increase in value of mined material.

The minimum depth in the proposed leases was discussed. The staff had consulted with the State Geologist, Central and Southern Florida Flood Control District, Recreation and Parks Division, and the Director said the recreation plan for the areas would be the controlling condition.

Motion was made by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, that the staff recommendations be approved and advertisement of the two tracts for lease be authorized.

TAMPA PORT AUTHORITY - Secretary of State Tom Adams called attention to the 1967 Act which had exempt lands in the Tampa Port Authority from jurisdiction of the Trustees with respect to dredge and fill permits. He said the local law acts to repeal the general statutes and should be tested as to its constitutionality. As there was a possibility of sale of 870 acres of bottoms in this area, he asked the staff to look into the matter.

Monroe County had been exempt from provisions of the Bulkhead Act. Mr. Adams said that dredge and fill exemptions in the Keys and in Tampa Bay should be stopped by legislative action. Governor Kirk asked the staff to review the situation and notify his office and the Attorney General of any recommendations.

Secretary of State Tom Adams commented on a movement afoot to require salt water fishing licenses, as licenses are required for fresh water fishing. He suggested that monies from license fees might be used for reacquisition of submerged lands that had been sold and for additional aquatic preserves. Also, the Trustees might go on record as recommending, in the event salt water fishing licenses are required, that a share of the proceeds be allocated to the Trustees and he suggested an initial allocation of fifty per cent.

The Director said the staff would furnish each member a copy of a bill proposed by Southeastern Fisheries Association, along with a staff analysis.

Governor Kirk indicated that was a proposal requiring further study, as he was not sure he would favor salt water fishing licenses.

No action was taken by the Board.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * *

2-24-70

Tallahassee, Florida
March 10, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in the office of the Governor, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Minutes of the meeting of February 24 were approved.

On motion by Mr. Christian, adopted without objection, the rules were waived to allow consideration of a subject not on the printed agenda.

Mr. Apthorp presented for discussion the future of the Interagency Advisory Committee on Submerged Land Management. Created in May 1968 with no staff and a membership of persons with other full-time jobs, the committee under Chairman Randolph Hodges had completed a review of bulkhead lines and a system of aquatic preserves. Even with the present Department of Natural Resources, Mr. Hodges felt the need of some advisory group. Reorganization raised questions, as coordinating councils had to be established by law, and a committee as an advisory body was limited as to subject and time. The Interagency Advisory Committee had discussed its future and now that the Trustees had approved the last of the twenty-six aquatic preserves (February 17, 1970), additional direction was needed.

After discussion with the Trustees' staff members and Senator Hodges, the Director offered the following recommendations:

1. That the membership consist of the following:
   (a) Executive Director, Department of Natural Resources, Chairman
   (b) Survey and Management Officer, Department of Natural Resources
   (c) Director of Marine Resources, Department of Natural Resources
   (d) Director, Game and Fresh Water Fish Commission
   (e) Executive Director, Trustees of the Internal Improvement Trust Fund
   (f) Director of Land Management, Trustees of the Internal Improvement Trust Fund
   (g) One representative of the Department of Commerce appointed by the Secretary
   (h) One representative of the Division of Planning and Budgeting appointed by the Secretary
   (i) One representative of the Air and Water Pollution Control Commission appointed by the Chairman
   (j) Division of Recreation and Parks, Department of Natural Resources

2. Under the provisions of Section 3, paragraph (8) of the

Reorganization Act of 1969 that the above named committee be appointed as the Advisory Committee on Aquatic Preserves with the following duties:

(a) Study proposals for aquatic preserves in addition to the 26 already proposed and adopted by the Trustees
(b) Hold public hearings on the additional preserves
(c) Make a report to the Trustees no later than December 31, 1970, which shall contain the committee's recommendations on additional preserves

3. That the expenses incurred in this connection be borne by the Trustees not to exceed $2,000

Motion was made by Mr. Christian, seconded by Mr. Faircloth and carried, that the above recommendations be adopted as the action of the Trustees.

BAY COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Bay County by resolution adopted on December 2,1967, established a bulkhead line 165.99 feet long in West Bay in Section 28, Township 2 South, Range 16 West, Bay County.

All required exhibits were furnished and there were no objections at the local hearing. The biological survey report was not adverse and the staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved the bulkhead line as established by Bay County.

CLAY COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Clay County by resolution adopted January 12, 1970, established a bulkhead line 447.92 feet long in Doctor's Lake in the John Creighton Grant in Section 44, Township 4 South, Range 26 East, Clay County.

All required exhibits were furnished, there were no objections at the local hearing, and the biological survey report was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved the bulkhead line as established by Clay County.

MANATEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Manatee County by resolution adopted August 19, 1969, relocated a bulkhead line along the existing shoreline between the Manatee-Sarasota County line northerly to the mouth of the Manatee River.

All required exhibits were furnished and the biological survey report was adverse. Staff recommended approval, the Director explaining revisions that had been made in the line after the adverse report was made. He said the staff would rely on advice of the Attorney General as to questions raised by Mr. Adams with respect to the possibility of jeopardizing the state's position by having the bulkhead line accommodate old bulkhead lines and sales or cut across previous sales.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees approved the bulkhead line subject to further review and approval by the Attorney General.

PASCO COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners by resolution adopted on November 12, 1969, located and fixed a bulkhead line 5.42 miles in length along the Gulf of Mexico and the Anclote River from Bailey's Bluff south to the south line of Pasco County. All required exhibits were furnished and the biological survey report dated November 3, 1969 was adverse. The county located the line in accordance with staff recommendations in an attempt to preserve biologically valuable areas, and approval was recommended by the Director. Changes made by the county were explained and the Director assured Mr. Adams that the line approximated the high water mark.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved the bulkhead line as located by Pasco County and approved by the staff.

ST. LUCIE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The City Commission of the City of Fort Pierce by Ordinance No. F-159 adopted on December 10, 1968, located and fixed a bulkhead line 11,200 feet long along the north side of the South Causeway and the north side of the South Beach, and relocated and fixed a bulkhead line on the southwest side of the South Causeway in Section 2, Township 35 South, Range 40 East, St. Lucie County. All required exhibits were submitted and there were no objections at the local hearing. The biological survey report was adverse. The Director said the staff recommendation for approval was justified, in his opinion.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees approved the bulkhead lines as located and relocated by the City of Fort Pierce in St. Lucie County.

MONROE COUNTY - Channel Dedication, Florida Keys Junior College. Florida Keys Junior College, by President John S. Smith, requested dedication to the Board of Trustees of the Florida Keys Junior College of a strip of submerged land 9,280 feet long by 250 feet wide for a navigation channel in Sections 21, 22, 26 and 27, Township 67 South, Range 25 East, Monroe County, extending from the Florida Keys Junior College site into the Gulf of Mexico. The Department of Natural Resources biological study report was not adverse. Trustees' staff had tried twice without success to have the channel work done under bids.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the dedication subject to the following provisions recommended by the staff:

1. Dedication limited to channel purposes to serve needs of the Florida Keys Junior College

2. The land covered by the dedication will revert in the event the channel work is not begun within three years next after issuance of the dedication.

DADE COUNTY - File No. 2254-13-253.12, Land Sale. On December 16, 1969, the Trustees considered application from Lila M. Powers to purchase a 0.19 acre parcel of sovereignty land in Biscayne Bay abutting Lot 12, Gifford and Highleymans Subdivision of Lot 38, Block "B" Brickell Addition, Plat Book 3, Page 38, public records of Dade County, in the City of Miami, Florida. Applicant offered $6,000 for the parcel, at the appraised value

of $31,578.95 per acre.

Notice of proposed sale was published in the Miami Herald, proof of publication filed, and the one objection received related mainly to city zoning regulations. Applicant desired to use the land for residential development. It was landward of the bulkhead line as confirmed by the Interagency Advisory Committee, and staff recommended approval of the sale which appeared to be a hardship case. The biological survey report was adverse.

Mr. Apthorp said the parcel was in the vicinity where two other sales had been made recently and it would complete a segment within the confirmed bulkhead line.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees confirmed sale of the advertised parcel to the applicant.

Mr. Adams raised question as to the basis of the appraisals now being made, being concerned that the state get full value for land. One method used by the appraiser was explained as determining the fair market value for the finished land in its location, and then subtracting the improvement costs (filling, etc). The Director expressed confidence in the staff appraiser, citing instances of increased valuation set for state land.

LEE COUNTY - File No. 2298-36-253.12, Application to Advertise. Mr. E. Mitchell Whaley, on behalf of Andre Cornu and wife, applied for a parcel of sovereignty land in Ostego Bay abutting Section 29, Township 46 South, Range 24 East, Estero Island, containing 0.2 acre, more or less, in Lee County, to be used for residential development. Applicant offered the appraised value. The biological survey report was not adverse for the parcel located landward of the bulkhead line approved by the Trustees on January 23, 1970.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 2291-44-253.12, Application to Advertise. Mr. James E. Glass, on behalf of Herbert J. McCauley and wife, applied to purchase a parcel of sovereignty land in the Atlantic Ocean abutting Government Lot 1, Section 19, Township 63 South, Range 38 East, Plantation Key, 0.72 acre, more or less, in Monroe County. Applicant offered appraised value for the parcel, to be used for a boat basin. It was explained that applicant does not own sufficient upland on which to construct the entire boat basin due to the zoning regulations.

The biological survey report was adverse on the area, included in an earlier application that was denied on the basis of the adverse report. Applicant greatly modified the plans, reducing application area from 1.78 to 0.72 acre.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees authorized advertisement.

OSCEOLA COUNTY - File No. 2299-49-253.36, Application to Advertise. Mr. O. Preston Johnson, on behalf of Temple Baptist Building Association, Inc., applied to purchase a parcel of reclaimed lake bottom

land in East Lake Tohopekaliga abutting Section 19, Township 25 South, Range 31 East, Osceola County, containing 0.6 acre, more or less. The normal lake level had been established at 57.0 feet mean sea level. Applicant offered the appraised value for the land to extend upland ownership to the established elevation of 59.0 feet mean sea level.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees authorized advertisement for objections only.

PALM BEACH COUNTY - File No. 2031-50-253.12 - Refund.
On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized refund of $2,541.73 to Arthur J. Paynter, applicant whose request to purchase a 0.778 acre parcel of sovereignty land in Lake Worth in Section 3, Township 43 South, Range 43 East, Palm Beach County, was denied by the Trustees on February 17, 1970.

MONROE COUNTY - File No. 2183-44-253.12 - Denial and Refund.
Mr. James E. Glass, on behalf of Charles I. Campbell and wife, applied to purchase 3.6 acres of sovereignty land in the Atlantic Ocean abutting Section 2, Township 60 South, Range 40 East, North Key Largo, Monroe County. Applicant did not disclose any intended use of the land on which an adverse biological survey report was made.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, the Trustees denied the application and authorized deactivation of the file and refund of $50 of the application fee.

PUTNAM COUNTY - File No. 2279-54-253.03, Rescind Dedication.
The staff recommended that the action of January 20, 1970, dedicating 21.15 acres of sovereignty land in the St. Johns River to Putnam County Port Authority, be rescinded because the Port Authority had modified construction plans and it appeared that the land was no longer required.

Motion was made by Mr. Christian, seconded by Mr.Faircloth and adopted without objection, that the dedication of 21.15 acres of sovereignty land be rescinded and the instrument of conveyance voided.

COLLIER COUNTY - Dredge and Fill Permits, Sections 253.123 and 253.124 Florida Statutes, Deed File No. 25045.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved a fill permit issued to Naples Yacht Club, Inc., for filling 0.76 acre, more or less, in Section 10, Township 50 South, Range 25 East, Naples Bay, and approved a dredge permit for removal of 14,500 cubic yards of material from said Section 10 for deposit on purchased submerged land. Applicant had tendered check for $1,450 as payment for the material. The biological report was not adverse.

LEE COUNTY - Dredge Permit, to Improve Navigation. Section 253.123 Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved a dredge permit to Mrs. William F. J. Hess to connect a navigation channel to the Estero River in Section 29, Township 46 South, Range 25 East, Lee County. The biological report was not adverse.

OKALOOSA COUNTY - Dredge Permit, to Improve Navigation. Section 253.123 Florida Statutes, File 472.

On motion by Mr. Christian, seconded by Mr. Conner and adopted, the Trustees approved a dredge permit to the Fort Walton Yacht Club for a connection from a boat basin to Cinca Bayou in Section 7, Township 2 South, Range 23 West, Okaloosa County. Material removed would be placed on applicant's upland, and the biological report was not adverse.

OSCEOLA COUNTY - Dredge Permit, Section 253.03 F. S., File 143.

Osceola County, by Central and Southern Florida Flood Control District, requested authority to amend a dredge permit approved by the Trustees on October 21, 1969. Applicant proposed to place 4,000 cubic yards of material in Lake Tohopekaliga lakeward of the ordinary high water line and requested waiver of Trustees Rule 200-3.06 to permit use of a cutterhead dredge. The Game and Fresh Water Fish Division waived objection, and staff recommended approval.

On motion made by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved issuance of the amended dredge permit.

PINELLAS COUNTY - Dredge Permit, to Improve Navigation. Section 253.123 Florida Statutes.

Pinellas County Water and Navigation Control Authority issued Permit No. DO-175, subject to Trustees' approval, for maintenance dredging in St. Josephs Sound in Sections 27 and 34, Township 28 South, Range 15 East, Pinellas County. The material will be hauled away by the applicant, the City of Dunedin. Biological survey report was not adverse.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees approved the dredge-only permit to the City of Dunedin.

SANTA ROSA COUNTY - Dredge Permit, to Improve Swimming Area. Section 253.123 Florida Statutes, File 463.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application of J. L. Kahn of Gulf Breeze, Florida, for a permit to dredge a swimming area 150 feet long, 50 feet wide and 10 feet deep in Pensacola Bay at Lots 3 and 4, Stephens Survey of James Duncan Homestead in Santa Rosa County. The material would be placed on uplands behind a seawall, and the biological survey report was not adverse.

ESCAMBIA COUNTY - Dredge Permit, Utility Installation. Section 253.123(2)(b) Florida Statutes, File 466.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted without objection, the Trustees approved a dredge permit to United Gas Pipeline Company for installation of a 10-inch pipeline in Section 17, Township 1 North, Range 30 West, Clear Creek, Escambia County, for $100 processing fee. The biological survey report was not adverse.

PINELLAS COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b)

The Board of County Commissioners of Pinellas County, by Chairman Charles E. Rainey, applied for permit to dredge for replacement of

a submarine cable in Clearwater Harbor in Section 31, Township 26 South, Range 31 East, Pinellas County.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permit without requiring a processing fee or the biological survey as provided for in Section 253.123(3)(a) Florida Statutes.

PINELLAS COUNTY - Dredge Permit to Improve Upland, Section 253.123 F. S. Pinellas County Water and Navigation Control Authority issued a dredge only permit, subject to Trustees' approval, to Robert D. Wray for dredging (partial after-the-fact) in Sections 28 and 30, Township 30 South, Range 17 East, Papys Bayou, Pinellas County. All materials removed would be placed on applicant's upland. The biological survey report was not adverse.
Applicant tendered check for $1,235.40 as after-the-fact payment at 30¢ per cubic yard for 4,118 cubic yards of material removed without first obtaining a permit. Applicant tendered check for $264.60 for 2,646 cubic yards of material to be removed under the permit.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved issuance of the permit.

WALTON COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees waived the $100 processing fee and authorized issuance of a permit to the Department of Transportation for construction of a dock and boat ramp facility in Choctawhatchee Bay adjacent to State Road 83 in Section 9 and 16, Township 1 South, Range 19 West, in Walton County.

TRUSTEES POLICY - Marinas and Other Commercial Facilities.
On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees adopted a policy effective immediately providing for licensing private interests desiring to occupy sovereignty land in conjunction with operation of marinas, charter boat docks and other commercial mooring facilities that sever sovereignty lands and the water column from free, unobstructed and unlimited public use. The license would be issued upon payment of no less than two cents per square foot annually for sovereignty land severed from public use. Each license would be renewable annually after receipt of the appropriate fee.

The Trustees authorized the staff to invoke emergency provisions of Chapter 120, Florida Statutes, for the purpose of adopting the appropriate rule to implement the above policy.

Secretary of State Adams commended the Director and staff for recommending the policy which would charge reasonable fees for use of a public area by a commercial venture, which fees might be used for other public areas to be made available.

PINELLAS COUNTY - Marina License, Section 253.03 Florida Statutes.
Staff recommended issuance of a marina license under the new policy to G. N. Grivas, J. L. Pappas and L. L. Pappas, upon receipt of the required annual fee for the installation of docks, slips, mooring piles and dredging to improve navigation on the north side of the

Anclote River in Section 2, Township 27 South, Range 15 East, in Tarpon Springs, Pinellas County. All dredged material would be placed on upland, and the biological survey report was not adverse.

On motion made by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the staff recommendation as the action of the board.

DUVAL COUNTY - Dredge Permit, to Improve Navigation, Section 253.123, Florida Statutes, File 464.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved issuance of a permit to Jacksonville Electric Authority for dredging three access channels in Section 1, Township 2 South, Range 28 East, and Section 6, Township 2 South, Range 29 East, Pablo Creek in Duval County.

The biological survey report stated that adverse effects should be only temporary. The material would be replaced in the channels at completion of installation of transmission line towers.

ST. LUCIE COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

Indian River Minerals, Inc., applied for an emergency dredge permit for maintenance dredging in the channel of Indrio in Sections 8 and 9, Township 34 South, Range 40 East, Indian River, St. Lucie County. The material removed would be placed on existing spoil banks. Staff requested waiver of the biological report as provided for in Section 253.123(3)(a) Florida Statutes.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the permit for maintenance dredging.

TRUSTEES OFFICE - Policy. Staff requested authority to contact the various State Attorneys to request their assistance in prosecuting trespassers on state lands in accordance with the provisions of Section 253.05 Florida Statutes.

On motion made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized the staff to contact the various State Attorneys as requested.

BROWARD COUNTY - Hallandale Beach Restoration Project; Exchange of Instruments. Mr. S. Lee Crouch, on behalf of Development Corporation of America, Hallandale, Florida, requested ex parte disclaimer for lands lying landward of the bulkhead line approved on March 18, 1969, in connection with the Hallandale beach restoration project. The applicant will execute a quitclaim deed naming the Trustees as grantee to lands lying seaward of the bulkhead line.

The Director recommended issuance of ex parte disclaimer subject to approval of the Trustees' staff counsel of all instruments, subject to receipt of quitclaim deed for all of the restoration area seaward of the bulkhead line and also subject to receipt of a dredging contract for the placement of sand on the beach.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted, that the Trustees accept the staff recommendation in the matter.

MONROE COUNTY - Release Restrictive Covenant, Deed No. 20949.
The Trustees had deferred action on February 3 and 17, 1970, on the request by the City of Key West for release of a restriction in Deed No. 20949 relating only to leasing a rectangular parcel 100 by 175 feet within the 110 acre grant known as "Smathers Beach." By Resolution No. 69-22 dated May 7, 1969, the city indicated that due to lack of funds it had been unable to provide needed facilities and proposed to lease an appropriate site to private interests who would install at no cost to the city the needed sanitary facilities and accommodations for changing attire. Lessee in turn would operate a concession stand, selling or renting articles related to beach recreational activities.

As recommended by the staff, on motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees authorized release of leasing restriction only conditioned, however, that a licensing agreement be entered into between the city and the entrepreneur, subject to Trustees' review and approval of plans and specifications of proposed facilities and review and approval of licensing agreement, and also subject to stipulation in the release requiring the city to use the same licensing agreement that is now used by the Division of Parks and Recreation for their concessionaires.

HILLSBOROUGH COUNTY - Easement.
On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved the application of the Department of Transportation for an easement for widening of State Road 582, over and across a 0.22 acre parcel of land in Section 8, Township 28 South, Range 19 East, Hillsborough County.

The Board of Regents approved the request for easement over the land which had been in use by the University of South Florida.

OKEECHOBEE COUNTY - Conveyance of Title.
Central and Southern Florida Flood Control District requested title to Lots 20, 22, 24 and 31 of Block 44, Okeechobee Gardens Subdivision, for use in an expansion of the Okeechobee Field Station, to encompass all of Block 44. The remainder of the block would be acquired by the district from private owners. The district agreed to accept title with a reverter for non-use for three consecutive years and/or use other than field station purposes. Those conditions were contained in a conveyance from the Trustees in 1960 to the district of 31 lots in an adjoining block. The county approved the conveyance.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized conveyance of the lots requested by Central and Southern Florida Flood Control District by instrument containing the reverter provisions set out above.

GLADES COUNTY - Easements for Temporary Spoil Area and Right of Way.
The Central and Southern Florida Flood Control District requested

1. temporary easement for a spoil area embracing 4.32 acres in the unsurveyed part of Sections 29 and 30, Township 42 South, Range 34 East, Glades County, to be used for spoil from a canal excavation in connection with a structure to serve 116 square miles of drainage area for discharge into Lake Okeechobee; and
2. right of way easement covering 3.51 acres in unsurveyed part of Section 30, Township 42 South, Range 34 East, Glades County, to be used for a canal in connection with the same structure.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted, the Trustees granted temporary spoil easement to expire December 31, 1972, and right of way easement embracing the areas requested by Central and Southern Florida Flood Control District.

GLADES COUNTY - Borrow Pit Permit.
The Board of County Commissioners of Glades County requested permit for a borrow area embracing 12.13 acres in unsurveyed Section 22, Township 42 South, Range 32 East, Lake Hicpochee, in Glades County, being the same area granted to Central and Southern Florida Flood Control District on June 24, 1969, as a spoil area. By Resolution No. 896 dated February 13, 1970, the District agreed to joint usage with Glades County.

The location and joint usage conform to recommendations of the Department of Natural Resources. The area will replace a 37.5 acre borrow area in Lake Okeechobee.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit subject to conditions established by Central and Southern Florida Flood Control District.

LEE COUNTY - Hopper Dredge Easement, Spoil Area, File 2285-36-253.03.
The Board of County Commissioners of Lee County by resolution adopted July 30, 1969, as sponsors requested an easement embracing 575 acres, more or less, in the Gulf of Mexico lying offshore from Cayo Costa Island, to be used as a spoil area for channel maintenance by the United States Corps of Engineers.

The Department of Natural Resources reviewed the project and approved placing the spoil in the Gulf of Mexico in about 25 feet of water on a generally sandy bottom as far preferable biologically to spoiling in more productive grassy inshore bottoms.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the easement.

SHELL LEASE REPORT - The Trustees accepted for the record the report showing the following remittances to Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$11,678.65
1788	Benton and Company, Inc.	20,220.10
2233	Bay Dredging & Construction Co.	5,788.31
2098	East Bay Dredging & Construction	5,000.00

RECLAIMED LAKE BOTTOM LANDS - Technical Advisory Committee.
On January 20, 1970, the Trustees approved a policy related to sale of reclaimed lake bottoms. The policy called for the appointment of a technical advisory committee to make recommendations to the staff and the board on original ordinary high water levels in the subject lakes.

The staff recommended the appointment of nine members and that authorization be granted to reimburse the appointees for actual travel and per diem expenses not to exceed the maximums allowed by the law.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted unanimously, the Trustees appointed the following persons as a technical advisory committee to recommend original ordinary high water levels in the subject lakes, and authorized reimbursement of their actual travel and per diem expenses as recommended by the staff:

1. Mr. Fred Vidzes, Director, Division of Land Management, Trustees - Chairman
2. Colonel J. V. Sollohub, Director, Division of Interior Resources, Department of Natural Resources
3. Dr. William H. Morgan, University of Florida
4. Mr. Myron Gibbons, Attorney at Law
5. Mr. William R. Kidd, Professional Engineer
6. Mr. A. O. Patterson, Director, Florida Water Resources Research Center
7. Mr. Robert Taylor, Hydrologist, Central and Southern Florida Flood Control District
8. Mr. William C. Hart, President, Florida Society Professional Land Surveyors
9. Mr. H. E. Wallace, Biologist, Florida Game and Fresh Water Fish Division

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Secretary of State Tom Adams asked the Director to prepare information for the Trustees relative to the authority of the port districts under the statutes, and any proposed legislation which the staff might be working on or reviewing.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees accepted Murphy Act Report No. 963 and approved one regular bid for sale of a parcel of land in Hillsborough County under the provisions of Chapter 18296, Acts of 1937 - Section 192.38 Florida Statutes; also, approved issuance of Putnam County Deed No. 1608-Corrective to G. E. McReynolds to correct the description of the land conveyed in original Deed No. 1608 dated December 27, 1945.

On motion duly adopted, the meeting was adjourned.

Secretary of State - Acting Chairman

Attest: James W. Aytlor
Executive Director

* * * * * * * * *

3-10-70

Tallahassee, Florida
March 17, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Earl Faircloth	Attorney General, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Minutes of the meeting held on March 10 were approved.

The Trustees authorized correction of the records of the meeting held on January 27, 1970, on which date the Director inadvertently referred to "National Industries" when it should have been "Enterprise Properties, Ltd."

BROWARD COUNTY - Hallandale Beach Restoration Project.
Mr. S. Lee Crouch, attorney representing the upland owners participating in the Hallandale beach restoration project, and representatives of the City of Hallandale were present in regard to the Trustees' action on March 10 imposing a requirement that there be a dredging contract for placement of sand on the beach prior to issuance of disclaimer to the owners.

On the agenda of the Department of Natural Resources on this date was application for issuance of permits for the sandbag revetment on the seawall-revetment line approved by the Trustees on March 18, 1969.

The Director discussed the progress made, the many conferences involving the City of Hallandale, the Broward County Erosion Prevention District, the Bureau of Beaches and Shores of the Department of Natural Resources, and the owners of upland property affected by erosion, represented by Mr. Crouch. The problem was that the city had not been able to contract for placement of sand on the public beach - which the director felt should be accomplished before the Trustees exchanged instruments to clarify the upland owners' titles.

On October 7, 1969, the Trustees approved issuance of disclaimers to The Hemispheres Development Corporation and Jack Parker Construction of Florida Corporation No. 2. On March 10, the Board approved disclaimer to Development Corporation of America (La Mer, et al) subject to the sand placement condition. Other owners involved were as follows: (1) Security Management Corporation and Sol Berger, (2) Acmar Engineering Corporation, (3) Arlen Two Company, (4) Leisure Colony Management Corporation and Debussy Realty Company N. V., and (5) Dakar Investment Corporation. All had contributed funds, executed quitclaim deeds naming the Trustees as grantee to the lands lying seaward of the bulkhead line for a public beach, and had granted public easements to the beach area. The owners had done everything they could or were called on to do; however, exchange of instruments was not recommended by the director until the sand was forthcoming for the public beach.

Mr. Crouch spoke of the coordination of all parties involved, the work over a period of more than a year, the fact that several owners were in the process of construction and needed determination of title status (other owners' need not urgent until their construction began). Efforts had been made to find a source of sand and a contractor equipped to do the work. Mr. Crouch said the owners were entitled to restore the eroded areas, and unless they were allowed to proceed the city might lose their cooperation in the project.

Mr. Faircloth thought the members understood the problem, that placement of sand was an engineering feasibility, that the owners had acted in good faith. It appeared that the city also had acted in good faith and Mr. Christian suggested that the city should assure the Trustees that they would proceed to provide the sand as soon as possible.

Mayor Russ Wilson and Mr. Duncan Britt, P. E., consultant for the city and the Erosion District, further explained the difficulties encountered in securing sand under the project budget limitations. But the Trustees were assured that the addition of 4,000 feet of public beach lying in front of the private owners, with access easements, was the goal sought, if it was in any way possible.

Mr. Crouch urged approval for the owners to proceed to place their sandbag revetments, complete the exchange of instruments, and restore what they had lost by erosion - in return for the owners' money placed in escrow with the city, quitclaim deeds to the Trustees, and access easements to be given to the city immediately.

Mr. Christian suggested approval, and Mr. Dickinson said the owners needed some alleviation from the conditions imposed.

Mr. Williams made a motion, suggested by the Attorney General, that the Trustees require the City of Hallandale to submit a resolution pledging in good faith to proceed with all energy and resourcefulness to build the public beach as agreed to by all parties. Upon receipt of such resolution from the city, deeds from the owners to the Trustees, and easements to the city for access to the public beach, the Trustees agreed to issue the disclaimers to the lands lying landward of the revetment line and seawall as heretofore established and agreed also to issue fill permits to the upland owners to fill the areas landward of the revetment line. Mr. Williams' motion encompassing these things was seconded by Mr. Christian and adopted without objection.

TRUSTEES OFFICE - Motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the staff be authorized to disseminate the following information to all field personnel:

> Aquatic vegetation along the shores of fresh water lakes, rivers and streams may be mowed or removed by the riparian upland owner without the necessity of obtaining a state permit subject to the following conditions:
>
> 1. No trees or woody plants will be removed from the area offshore from the ordinary high water line.
>
> 2. The use of draglines, front end loaders, scrapers or other mechanical motor driven earth moving machinery is prohibited.
>
> 3. The alteration of the bottom configuration of the body of water in which work will be done is expressly prohibited.

4. State permits are required for all other works in or along the shores of fresh water lakes, rivers and streams.

BREVARD COUNTY - File No. 24269(1749-05-253.124), Dredge and Fill Permits, Sections 253.123 and 253.124 Florida Statutes.

Oakland Consolidated Corp., represented by J. Lewis Hall, Jr., attorney, requested reconsideration of dredge and fill permit approved by the Board of County Commissioners of Brevard County on February 22, 1968, issued by Brevard County Engineers Office on March 1, 1968, and denied by the Trustees on March 12, 1968. The applicant had modified the project in such a manner as to accomplish all dredging except a navigational access channel within the limits of the submerged land ownership.

The pending litigation had been amended so as to exclude many of the original issues. In view of this, the Trustees' general counsel and the Assistant Attorney General who was co-counsel in this cause recommended settlement by issuance of the permit in accordance with the stipulation previously furnished the Board.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, that the Trustees approve settlement as recommended by legal counsel.

NASSAU COUNTY - Dredge Permit, to Improve Navigation - File 474.

At the suggestion of the Director, the Trustees removed from the agenda an application from Interpace Corp. for a channel in Section 46, Township 2 North, Range 28 East, Nassau County.

PALM BEACH COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved application of Perry Submarine Builders of Riviera Beach, Florida, for a permit to dredge a channel 9 ft. deep, 77 ft. wide and 200 ft. long in Section 27, Township 42 South, Range 43 East, Lake Worth, Palm Beach County.

The material would be placed on applicant's upland, and the biological report was not adverse.

CHARLOTTE COUNTY - Dredge Permit, Section 253.123 Florida Statutes, File 232.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees accepted payment of $310 from Clate E. Kesselring for 3,100 cubic yards of material removed in excess of the amount authorized under Permit No. 253.123-232. The material removed was placed on the applicant's property.

DUVAL COUNTY - Dredge Permit, Utility Installation, Section 253.123 (2)(b), Florida Statutes.

Cowart Brothers, Inc., represented by Walter J. Parks, Jr., submitted $100 processing fee for a permit to dredge to install a sewer outfall pipe in Section 14, Township 1 South, Range 26 East, in the Trout Tiver, Duval County.

The biological report was not adverse. The applicant already had the approval of the Department of Air and Water Pollution Control.

It was noted that treated sewage was involved, to go into the Trout River and on into the St. Johns River.

Attorney General Faircloth asked about proposed legislation to raise the standards to prevent pollution, the Director advising that the staff had not worked on it but such legislation was to be proposed.

Motion was made by Mr. Christian, seconded by Mr. Williams and adopted, that the permit be approved. Mr. Faircloth voted "No" until the Legislature had an opportunity to reexamine the standards under which permits are issued to be sure there will be no further pollution of the St. Johns River.

PALM BEACH COUNTY - Dredge Permit, Utility Installation, Section 253.123 Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved the application from Southern Bell Telephone and Telegraph Company, represented by C. E. Newman of Miami, Florida, to dredge to install a submarine telephone cable in Section 6, Township 41 South, Range 43 East, Intracoastal Waterway (Loxahatchee River) in Palm Beach County. The application was on file prior to the adoption of policy requiring $100 processing fee for such permits.

The biological report was not adverse and staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees approved issuance of the requested permit.

SHELL LEASE REPORT - The Trustees accepted for the record the report showing the following remittances to Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 8,712.67
1788	Benton and Company, Inc.	20,638.27
2233	Bay Dredging and Construction Co.	5,619.40

PASCO COUNTY - Land Exchange, Section 253.42 Florida Statutes.

Swartsel Properties, Inc., represented by Sam Y. Allgood, Jr., attorney, requested an exchange of instruments for the purpose of clearing title to uplands and submerged lands in Section 34, Township 26 South, Range 15 East, Pasco County. The applicant will convey 23.33 acres of marsh land and the Trustees will disclaim interest in 14.38 acres of land lying outside the meander line, representing a gain of 8.95 acres to the state land inventory.

The exchange resulted from negotiations between the staff and the applicant in conjunction with the Trustees' approval of a bulkhead line on March 10, 1970.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved the exchange of instruments recommended by the staff.

BREVARD COUNTY - Contract No. 24210(1666-05-253.12)

On July 27, 1965, the Trustees confirmed sale of a 1.3 acre parcel of sovereignty land in the Indian River abutting Section 10, Township 22 South, Range 35 East, Brevard County, to Raymond W. Collins,

et ux. Under policies effective when the sale was confirmed, the applicants entered under a contract to purchase which was fully paid as of February 6, 1970, and they were now entitled to a deed.

In accordance with recommendations of the Department of Legal Affairs, reconfirmation was requested due to the present statutory requirement that at least five of the seven Trustees vote on the matter.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees reconfirmed the sale and authorized issuance of the deed.

DUVAL COUNTY - File No. 2308-16-253.12(6), Quitclaim Deed.
Staff recommended issuance of quitclaim deed for $200 to Mildred M. Ripley, et al, covering a filled parcel of sovereignty land containing 0.12 acre in the St. Johns River abutting Section 38, Township 3 South, Range 26 East, Duval County, filled prior to June 11, 1957. All required exhibits were furnished.

Sovereignty lands in the vicinity were sold by the Trustees in 1959 for $300 per acre which would make the value of the small parcel $36. Applicant offered $200, or a value of $1,667 per acre.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the quitclaim deed for $200.

PINELLAS COUNTY - File 2307-52-253.129, Disclaimer.
Staff recommended issuance of ex parte disclaimer for $100 processing fee to Waldense D. Malouf, et al, covering a parcel of sovereignty land filled by the developer of Sutherland Subdivision prior to May 29, 1951, embracing 1.5 acres in Sutherland Bayou abutting Section 2, Township 28 South, Range 15 East, Pinellas County. The Board of County Commissioners of Pinellas County by resolution had vacated parts of streets in the subdivision. Purpose of the disclaimer was to clear title to the half of streets abutting upland lots in the subdivision. All required exhibits had been furnished.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of ex parte disclaimer.

ORANGE COUNTY - Disclaimer.
Staff recommended issuance of an ex parte disclaimer, requested by Ned N. Julian, Jr., representing the First Baptist Church of Oviedo, Inc., disclaiming any interest of the Trustees in the SW¼ of SW¼ of Section 10, Township 21 South, Range 31 East, arising out of Deed No. 5488-A, in order to clear a title question caused by the deed not showing a section number. The property was conveyed by the Trustees in Deed No. 5488-A to George C. Powell on December 4, 1868, and the record of the deed in the public records of Orange County did not reflect the section designation. Although it apparently was not the custom of the Land Office to retain copies of deeds issued in the 1860's and 1870's, other evidence in the records clearly indicated Section 10 was conveyed by Deed No. 5488-A and the omission of section number was apparently a clerical error.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of the ex parte disclaimer.

DADE COUNTY - Sand Lease. On December 16, 1969, the Trustees considered request from Des Rocher Sand Company for 2-year renewal of commercial sand lease No. 2316 and deferred action, granting temporary 90-day extension during which time an updated review of the royalty could be made. Staff appraiser submitted a report recommending an increase from 18¢ to 22¢ per cubic yard royalty to be paid to the Trustees.

The lease covered three dredging areas, two being small and in the general vicinity of Fisher Island, dredged by the lessee only in times of adverse weather conditions offshore where the larger area was located southeasterly of Cape Florida. The area in the Atlantic was within aquatic preserve A-12 and had been continuously dredged for sand since 1949. The Bureau of Beaches and Shores of the Department of Natural Resources had no objection to renewal of the lease.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized renewal of the commercial sand lease for an additional 3-year period with provision for 90-day notice of cancellation and a $5,000 performance bond, consideration to be 22¢ per cubic yard for sand removed.

DUVAL COUNTY - Jacksonville Port Authority. On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees authorized formal request to be made to Jacksonville Port Authority to reconvey portions of "Back River" lying within Blount Island, for the purpose of conservation of marine biological resources to be achieved through prevention of any dredging or filling in the area.

PALM BEACH COUNTY - The Trustees removed from the agenda an item on an addendum referring to Temporary Spoil Easement 2182-A for Port of Palm Beach harbor maintenance.

REFUNDS - Murphy Act Lands. On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees authorized the following refunds:

(1) $15 refund to James W. Pritchard, who had withdrawn his application for release of state road right of way reservation in Dade County Murphy Act Deed No. 1241
(2) $10 refund to Johnie A. McLeod, being the balance of a refund due because the Department of Transportation did not recommend release of a state road right of way reservation. A portion of the refund to the applicant was approved by the Trustees on February 17, 1970.

On motion duly adopted, the meeting was adjourned.

Earl Faircloth
Attorney General - Acting Chairman

Attest: James W. Mathony
Executive Director

* * * * * * * * * * *

3-17-70

Tallahassee, Florida
March 24, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Earl Faircloth	Attorney General, Acting Chairman
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Minutes of the meeting held on March 17 were approved as submitted.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Pinellas County Water and Navigation Control Authority on November 18, 1969, and February 17, 1970, relocated and fixed a bulkhead line along the east shore of St. Joseph Sound in Sections 28 and 34, Township 28 South, Range 15 East, in the City of Dunedin, Florida. All required exhibits were furnished. There were several objections at the local hearings and proponents and opponents were present on this date. Staff recommended approval.

The biological survey report on the revised bulkhead line stated that because of the water conditions currently existing in the area, development inside the bulkhead line using trucked-in fill should have only limited adverse effects on marine biological resources.

As background information, the Director pointed out on a map the existing bulkhead line, the line as relocated by the Authority, areas extending into St. Joseph Sound previously conveyed in 1926, and property owned by the various interested parties.

Mr. H. H. Baskin, Jr., representing George Mallory, endorsed the line and asked the Board to consider an application to fill, purchase and seawall that had been filed concurrently with the Pinellas Authority and the Trustees, or to agenda the application for an early hearing.

Mr. James A. Park also endorsed the revised bulkhead line, stating that although it greatly limited the submerged land in front of his property that might have been filled, he was more concerned about having a beautiful view and was not concerned at this time about filling.

Opponents of the relocated bulkhead line, Mr. Nelson M. Tyrrell and Mrs. Stella N. Tyrrell, protested that they owned only a small homesite which they would be unable to extend when Edgewater Drive was widened, that the County Commission should have practiced conservation all along the shoreline and not in front of his small ownership while allowing his neighbors to the north to erect highrise buildings. He asked the Board to allow him to purchase and fill a small parcel on which his home could be moved when the road was widened. He had appeared at the local hearings with his objections.

It was pointed out that highway widening would be at an uncertain date in the future, that the owner could receive relief through the court in the event his small homesite was needed for the road.

The Director commented that since the conservation report was adverse to filling beyond the proposed relocated line, there was little likelihood that purchase or fill applications would be approved.

Mr. Christian and Mr. Dickinson asked a number of questions and expressed sympathy with the Tyrrel's situation, but pointed out that the Trustees had authority only to approve or reject the bulkhead line; and the line rejected before and sent back to the county had now been returned by the county for approval. Mr. Dickinson said it placed these land owners in an extremely difficult situation.

On Mr. Baskin's request for consideration of the Mallory application, it was decided that the Director would place it on an agenda for an early hearing in the regular manner.

Motion was made by Mr.Christian and adopted on a vote of three to one, with Mr. Dickinson voting "No", that the Trustees approve the bulkhead line as relocated and fixed by the Pinellas County Water and Navigation Control Authority in the City of Dunedin along the east shore of St. Joseph Sound in Sections 28 and 34, Township 28 South, Range 15 East, Pinellas County.

MONROE COUNTY - File No. 2123-44-253.12, Application to Advertise. Mr. James T. Glass, on behalf of William S. Clark, applied to purchase a parcel of sovereignty land in Largo Sound abutting Section 14, Township 61 South, Range 39 East, 0.08 acre at Key Largo, Monroe County, in order to construct a small jetty into Largo Sound to protect a boat basin constructed on the applicant's upland.

The biological report was not adverse. Staff recommended advertisement for objections only, appraisal to be secured.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted, the Trustees authorized advertisement of the parcel for objections only.

MONROE COUNTY - File No. 2294-44-253.12, Application to Advertise. Mr. James T. Glass, on behalf of Dr. Herbert S. Zim, applied to purchase a parcel of sovereignty land in the Straits of Florida abutting Section 18, Township 63 South, Range 38 East, 1.3 acres at Plantation Key in Monroe County, in order to clear title to improvements within the parcel that were constructed by a prior owner in 1954 and also to reconstruct breakwaters to protect an existing boat basin.

The biological survey report was adverse. Applicant reduced the application area from 4 acres to 1.3 acres, and staff recommended advertisement with appraisal to be secured.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized advertisement for objections only.

MONROE COUNTY - File No. 2083-44-253.12, Application to Advertise. Mr. James T. Glass, on behalf of Howard M. Post, applied to purchase a parcel of sovereignty land in the Atlantic Ocean abutting Section 21, Township 60 South, Range 40 East, 1.52 acres at Key Largo in Monroe County. Applicant desired to construct a boathouse on pilings and control access into a boat basin.

The biological survey report had been adverse when the application

was on the agenda of May 7, 1968, and action was deferred for additional information. The area to be purchased was reduced from 5.73 acres to 1.52 acres in accordance with the staff's request, and advertisement of the smaller parcel was recommended.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized the 1.52 acre parcel to be advertised for objections only.

DUVAL COUNTY - File No. 2120-16-253.12, Application to Purchase. Mr. Langdon M. Lockwood, et ux, applied to purchase a parcel of sovereignty land in the St. Johns River abutting Section 41, Township 2 South, Range 27 East, in the City of Jacksonville, Florida, Duval County, containing 4.41 acres for which the applicant offered $100 per acre.

The biological survey report dated March 6, 1970, stated that approval of the application would not have significant adverse effects on marine biological resources. However the Interagency Advisory Committee recommended that the bulkhead line be relocated at the line of mean high water, and the City of Jacksonville advised that the bulkhead line would be re-established at mean high water line or as near as feasible.

The staff recommended denial of the application and refund of the $50 application fee, and had notified Mr. Lockwood who was present on this date. He said he had owned and lived on the property for nearly twenty-five years and began work on his application in 1961, that he applied about one and one-half years ago and paid $75 application fee, had plans drawn and made options to the adjoining property involving an eight million dollar project. Mr. Lockwood said he recently heard of the City of Jacksonville intention to amend the bulkhead line, and protested that one end of his property had been washed off as a result of the construction of Matthews Bridge. After further discussion, a man from Gainesville, one of the developers, requested that the Trustees table the application and allow it to be revised. It appears that the intended use would not require purchase of four acres.

Motion was made by Mr.Christian, seconded by Mr. Dickinson and adopted without objection, that the application be deferred for possible revision by the applicant and consideration by the Board at another meeting. Mr. Faircloth said he would not favor any sale of the St. Johns River bottoms, certainly not at $100 per acre.

BREVARD, MARTIN, PALM BEACH, ST. JOHNS, AND VOLUSIA COUNTIES. DREDGE PERMITS - Utility Installation, Section 253.123(2)(b). On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the following applications upon recommendation of the staff that dredge permits be issued:

1. Florida Power and Light Company applied for permission to dredge to install a power cable in Section 28, Township 29 South, Range 38 East, Indian River, Brevard County, for which the $100 processing fee was tendered and the biological report was not adverse.

2. Southern Bell Telephone and Telegraph Company applied for permission to dredge to install a submarine cable in Section 4, Township 38 South, Range 41 East, Krueger Creek in Martin County, for which the $100 processing fee was tendered and the biological report was not adverse.

3. The Department of Transportation applied for permission to dredge to install a submarine cable in Section 27, Township 44 South, Range 43 East, Lake Worth in Palm Beach County. The Board waived requirements for a processing fee and a biological survey report.

4. Southern Bell Telephone and Telegraph Company applied for permission to dredge to install a submarine cable in Section 12, Township 7 South, Range 27 East, San Sebastian River in St. Johns County, for which the $100 processing fee was paid and the biological survey report was not adverse.

5. Southern Bell Telephone and Telegraph Company applied for a dredge permit to install a submarine cable in Section 35, Township 17 South, Range 29 East, St. Johns River in Volusia County, for which the $100 processing fee was paid and the biological survey report was not adverse.

FLAGLER COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

On motion by Mr. Christian, adopted without objection, the Board authorized issuance of a dredge permit to Marineland, Inc., for connection of a marina to the Matanzas River (Intracoastal Waterway) in Section 37, Township 10 South, Range 31 East, Flagler County. The material removed would be placed on applicant's upland. The biological report was not adverse.

VOLUSIA COUNTY - Dredge Permit, to Improve Uplands, Section 253.123 Florida Statutes, File 481.

Staff recommended approval of an application from Thomas G. Hall to dredge 2,300 cubic yards of material from the Halifax River in Section 37, Township 16 South, Range 34 East, Volusia County. The material would be placed on applicant's upland property. The conservation report was not adverse.

On motion by Mr. Conner, seconded by Mr. Dickinson and adopted, the Trustees approved the application for dredging fill material for $230 payment.

ST. LUCIE COUNTY - Dock Permit Navigational Beacons, Section 253.03 Florida Statutes.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees waived the requirement of $100 processing fee and authorized permit issued to the City Commission of Fort Pierce for installation of navigational daybeacons in the Indian River south of State Road 162 in Section 3, Township 35 South, Range 40 East, in St. Lucie County.

TRUSTEES RULE CHANGE - Implements Section 253.03, 253.123 F. S. Dredging for navigational purposes; applications for permits.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees adopted the following rule change which requires a processing fee heretofore not required, defines a standard navigation channel, and provides for public agencies to acquire permits on behalf of private contractors in connection with public projects:

In conjunction with public works, public agencies, governmental bodies and other public entities may apply on behalf of private

contractors for navigational dredging permits; such permits will issue directly to the contractors. A non-refundable processing fee of $50 payable to the Trustees, and a fee of $100 payable to the Department of Natural Resources for a biological report, must accompany an application.

A standard private navigational channel is considered as 5 feet deep, mean low water, by 50 feet wide, by a length required to reach the minus-five foot mean low water elevation contour. Those channels proposed to be dredged over standard dimensions will require advance payment computed at the rate of 10¢ per cubic yard for each cubic yard of overage to be removed from proposed channel.

Applications for permit must indicate names and addresses of riparian upland owner, neighbors contiguous to applicant's uplands, location of area by section, township and range, name and business address of dredging contractor and type of equipment proposed to be used in the project. A performance bond may be required to be executed by dredging contractor in favor of Trustees at Trustees' discretion. Deviation from proposed plan of dredging is sufficient grounds for Trustees to require payment of bond.

LEGISLATION - The Director had furnished each Board member a brief summary of eight bills revising Chapter 253, which had been prepared and reviewed with staff members of the Trustees. It had not been understood that action would be taken at this time and postponement was suggested. Mr. Dickinson expressed concern that it would abolish emergency relief.

Without objection, the Trustees postponed action on the proposed legislation being developed by the staff.

LEON COUNTY - Capitol Center Property. With reference to the Executive Office Building at 908-910 South Bronough Street, Tallahassee, purchase of which would probably be finalized about April 1, the staff requested authority to enter into an agreement with the Department of General Services to supervise the rental and to perform all other necessary functions for renting the space in the building to other state agencies, including collection of rent, maintenance and janitorial service.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the staff request was approved.

CLAY COUNTY - Lease Renewal. The Armory Board for many years had leased from the Board of Education the NW¼ of NE¼ and NW¼ of Section 16, Township 7 South, Range 23 East, containing 200 acres, more or less, in Clay County. The Armory Board requested renewal of lease of the tract, which is within the Camp Blanding Reservation and is utilized for military purposes under expired Lease No. 1305-S. Issuance of a new lease was approved on this date by the Board of Education.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of a new lease to the Department of Military Affairs for 99 years without monetary consideration, lease to be issued by the Trustees who now hold title pursuant to Section 253.03 Florida Statutes, as amended by Chapter 67-2236, Laws of Florida.

SANTA ROSA COUNTY - Assignment of Oil Lease.
On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved assignment of Oil and Gas Drilling Lease No. 2338 covering 47,932 acres of sovereignty land in East Bay, Blackwater Bay and Escambia Bay, from J. Melvin Young, Arden Anderson and Philip D. Beall, to the Getty Oil Company.

Instrument of assignment by assignee had been reviewed and approved by staff legal counsel.

WASHINGTON COUNTY - Easement for Road Right of Way.
On motion by Mr. Conner, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of an easement to the Department of Transportation embracing 1.14 acres of land in Section 11, Township 4 North, Range 16 West, Washington County, for use in construction and maintenance of State Road 8 (I-10).

The Division of Adult Corrections reviewed and approved the easement for right of way over the parcel presently being used by the said Division as the Caryville Road Prison Camp.

DADE COUNTY - Key Biscayne Golf Course.
Mr. John McCue, Director of Public Works of Dade County, was present representing the County Commission, thinking that the agenda listed their application for approval of permit for construction of Key Biscayne Golf Course. The Director said the staff would place it on the agenda next week.

Mr. McCue described plans to construct a public professional golf course within county-owned park property on the island of Key Biscayne, some of which must be filled to accommodate the plan. He said they had made the utmost effort to cooperate with the Department of Natural Resources and the Trustees' staff to preserve as much mangrove vegetation as possible, in fact using it as a feature of the layout, would use an upland borrow pit, all filling would be within the bulkhead line and no dredging done outside the bulkhead line. Maps were left with the Director for display next week.

DADE COUNTY - Mean High Water Line at Miami Beach.
Mr. D. P. S. (Dan) Paul, an attorney from Miami, on January 13, 1970, called attention to an alleged encroachment on state sovereignty land in Miami Beach. On this date at the Department of Natural Resources meeting he protested issuance of a permit for placing fill material as beach nourishment at the same site.

Mr. Paul requested the Trustees to authorize its special counsel, Mr. Neil Rutledge, to file immediately a bill for declaratory decree against the City of Miami Beach and the Maison Grande' construction project to determine exactly where the public foreshore is, to preserve the public beach. As a tax payer and home owner, Mr. Paul had done research on the problem, felt that Miami Beach was the most flagrant case, and said it would take a court proceeding.

The Director said Mr. Rutledge represented the Trustees as special counsel in the Coastal Petroleum matter and was not available generally. This would be a matter in which other agencies concerned with the public beaches should join with the Trustees, in the opinion of Mr. Apthorp. who said that an investigation and report had been made on the Maison Grande' construction which was shown to be above the line of mean high water as it exists today.

The Department of Natural Resources had granted the permit mentioned above with the stipulation suggested by Mr. Faircloth that such action in no way conceded the location of the high water mark or title to sovereignty land. In the course of further discussion, Mr. Dickinson pointed out the value of the Miami Beach land, the need to avoid pitfalls in the future of the private land owner and more importantly, the rights of the public to have the matter finally and legally determined.

Mr. Paul expressed the issue as being the proper method of determining the mean high water mark, as the present formula was not preserving any foreshore or beaches for the public. A judicial decree like the Oregon case was needed, he said, and time was of the essence.

Motion was made by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, that the Trustees through the direction and counsel of the Attorney General join with the proper parties to pursue the matter toward filing a suit for declaratory decree to properly determine the mean high water line. Mr. Faircloth said he would secure the recommendation of the legal staff of the Trustees. Mr. Christian said the motion was to include the other agencies for their technical advice; and Mr. Dickinson added that it might be that as Attorney General for the State of Florida, the suit might not have to include other agencies, that the Attorney General would determine and report back to the Trustees before filing any suit.

On motion duly adopted, the meeting was adjourned.

Earl Faircloth
ATTORNEY GENERAL - ACTING CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
March 31, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Capitol in Senate Hearing Room 31, with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

On motion duly adopted, the Trustees approved minutes of the meeting held on March 24 subject to addition of the word "private" in the rule change defining a standard private navigational channel.

BREVARD COUNTY - File No. 1990-05-253.12(5), Application to Advertise. Walter C. Shepard, representing Eddie D. Thomas, applied to purchase a parcel of filled sovereignty land in the Indian River abutting Section 21, Township 29 South, Range 38 East, 0.577 acre, between upland owned by the applicant and the existing mean high water line of Indian River in Brevard County. Applicant offered the appraised value, to be determined.

The land was filled during construction of State Road 5 (U. S. No. 1) and applicant retained riparian rights by granting an easement to the State Road Department.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized advertisement for objections only.

GLADES COUNTY - File Nos. 2301 and 2302-22-253.36, To Be Advertised. Staff recommended advertisement of two applications for reclaimed land outside the Hoover Dike at Lake Okeechobee. Mr. Apthorp said the Board had had a moratorium on the sale of any reclaimed lake lands until the appointment of an advisory committee, which had been done. The lands were separated from the lake by the dike, and after ascertaining that there was no public use for the land in this instance, staff recommended sale to the adjacent farmers and upland owners. Appraisals would be secured.

File No. 2301-22-253.36. Fred E. Click, representing J. R. Click, applied to purchase a 4.39 acre parcel of reclaimed lake bottom in Lake Okeechobee lying between the 17 ft. contour line and the right of way of Levee L-50 in unsurveyed Section 24, Township 40 South, Range 32 East, Glades County.

File No. 2302-22-253.36. Fred E. Click, for S. D. Dewell, applied for 1.77 acre parcel of reclaimed lake bottom land in Lake Okeechobee lying between the 17 ft. contour line and the right of way line of Levee L-50 in unsurveyed Section 24, Township 40 South, Range 32 East, Glades County.

Mr. Adams noted that the land was adjacent to the upland, with the dike lying between it and the lake. The Director said much of the reclaimed land had been sold by the Trustees, and occasionally some used for a county or state purpose.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized advertisement for objections only, of the two parcels applied for by Mr. Click and Mr. Dewell.

LEE COUNTY - File No. 2243-36-253.12, Application to Advertise. William L. Graddy, on behalf of Walter C. Groff, et ux, applied to purchase a 0.42 acre parcel of filled sovereignty land in the tidal basin of Charlotte Harbor abutting Section 23, Township 43 South, Range 20 East, Lee County, in order to clear the title to lots that were filled by the developer of the subdivision and predecessor in title. Applicant offered $1000 per acre, and appraisal will be secured by the staff.

The biological report was not adverse, the bulkhead line closely followed the line of mean high water. The parcel had been filled to the bulkhead line approved by the Trustees on June 17, 1969, under a permit from the Trustees; however it had developed that the party did not have title to the land that had been conveyed to a third party.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted, the Trustees authorized advertisement for objections only.

SARASOTA COUNTY - File No. 1945-58-253.12, Application to Advertise. Robert M. Johnson, on behalf of Mario M. Lucci, applied to purchase a parcel of sovereignty land in Blackburn Bay abutting Section 22, Township 38 South, Range 18 East, 0.046 acre at Casey Key, Sarasota County, in order to obtain clear title to sovereignty land upon which a house encroached. The appraiser reported a value of $557 for the sovereignty land and $398 for the improvement, or a total of $950 for the parcel.

The Trustees on March 26, 1968, approved the bulkhead line as relocated away from the mean high water line, enclosing the land on which the house on pilings existed. Other bulkhead lines in Sarasota County were at or near the mean high water line. The Interagency Advisory Committee reaffirmed the relocated bulkhead line. The biological report was not adverse, noting that no dredging or filling was intended, only ownership of the submerged land under or around the house. Applicant modified the application area from 0.17 to 0.046 acre to conform to the relocated bulkhead line.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized advertisement of the parcel for objections only.

MANATEE COUNTY - File No. 2313-41-253.03, Dedication Advertisement. The National Audubon Society, represented by Myron G. Gibbons, requested dedication of approximately 57 acres of sovereignty land in Terra Ceia Bay abutting Bird Key in Township 34 South, Range 17 East, Manatee County. On December 2, 1969, the Trustees agreed to the dedication provided title to the key was obtained. The Society now owns Bird Key and the area requested lies within 400 feet of the key, will be used as a buffer zone in connection with a bird sanctuary on the key, and staff recommended advertisement for objections only.

Mr. Apthorp said there should be a reverter clause in the dedication in the event the Audubon Society should lose control of the key. The former owner of Bird Key had agreed to donate it as a bird sanctuary, and the surrounding submerged land would be utilized in management of the sanctuary.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted without opposition, that the sovereignty land be advertised for objections only.

MONROE COUNTY - File No. 2162-44-253.12 - Denial and Refund. Staff recommended denial of the application from James T. Glass, on behalf of Wilden F. Van Sweringen, for a parcel of sovereignty land in Tarpon Basin abutting Section 22, Township 61 South, Range 39 East, 0.53 acre at Key Largo in Monroe County. The biological survey report was adverse, and staff was of the opinion that the applicant owned sufficient upland on which to construct a boat basin without undue hardship. Applicant had been notified of the staff recommendation.

Motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, that the Trustees deny the application to purchase, and authorize deactivation of the file and refund of $50 of the application fee.

DADE COUNTY - Dredge and Fill Permit, Sections 253.123 and 253.124 Florida Statutes.

The Public Works Department of Metro Dade County requested approval of permit issued by the Board of County Commissioners of Dade County on March 11, 1970, by Resolution No. R-287-70, and approval for dredging and filling on county-owned property on Key Biscayne landward of the existing bulkhead line for the purpose of constructing a public golf course. Mr. John McCue was present last week and on this date with maps of the project planned to preserve substantial areas of mangroves, as part of the landscape architectural design. In addition, the county by Resolution No. R-289-70 had agreed to leave approximately 40 acres of mangroves in natural state, for protection and preservation.

The Director spoke of the county research on propagation and growth of mangroves, with the assistance of the Fairchild Tropical Garden. Material for filling would come from interior waterways. Mr. McCue said it would be a county owned and operated golf course, a public recreation facility.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application for dredge and fill permit for the construction of Key Biscayne Golf Course by the Public Works Department of Metro Dade County.

SARASOTA COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Sarasota County Water and Navigation Control Authority issued a dredge permit in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County, to Panora Corporation to dredge a 30 ft. wide by 40 ft. long entrance channel and to scour out an existing boat basin, subject to Trustees' approval.

The material removed would be placed against an existing seawall above mean high water line for a berm to protect the seawall. Applicant had amended his application in accordance with recommendations in the biological survey report, which was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

SARASOTA COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

Sarasota County Water and Navigation Control Authority issued a permit, subject to Trustees' approval, to James H. Whitlatch to dredge a 25 ft. wide and 40 ft. long connection channel in Little Sarasota Bay in Section 18, Township 37 South, Range 18 East, Sarasota County. The material removed would be deposited in a man-made boat basin excavated on upland. The biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the permit.

MARTIN COUNTY - Dredge Permit, To Improve Navigation, Section 253.123, File 462.

Henry Crane, represented by Cal Montgomery, applied for permit to remove material adjacent to a seawall in Section 24, Township 38 South, Range 41 East, Manatee Pocket in Martin County. Applicant tendered check for $150 as after-the-fact payment for a portion of

the work which had already been performed. The biological survey report was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted, the Trustees authorized issuance of the permit as recommended by the staff.

ST. JOHNS COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

St. Augustine Beach South Corporation, represented by Emmett W. Pacetti, applied for permit for dredging a 50 ft. wide, 5 ft. deep and 5,400 ft. long navigation channel adjacent to applicant's upland in Section 27, Township 8 South, Range 30 East, Intracoastal Waterway, St. Johns County. The material removed would be placed on applicant's upland. The biological survey report was not adverse.

Motion was made by Mr. Faircloth to approve the application. However, Mr. Adams asked that it be held a week as he had questions regarding the requests for navigation channels. He noted that the material removed was placed on upland without charge for the fill, placing a heavy burden on the staff to determine if the application was for navigation or for free fill material. The Director said it was a question of policy as to whether the Board continued to allow people navigational access to upland. He explained the particular circumstances in this application, using the map furnished as an exhibit. The Director expressed no strong feeling as to charging for the material from navigation channels but said it might discourage developers from digging the access channel, in which event the individual owners' channels would damage more biological marine resources. Secondly, it might encourage the deposit of material on sovereignty land which could be damaging.

Without objection, the application was deferred for one week.

PUTNAM COUNTY - Dredge Permit, To Improve Navigation, Section 253.123 Florida Statutes.

St. Johns Riverside Estates, Inc., represented by Emmett W. Pacetti, applied for after-the-fact permit for connecting six canals to Dunns Creek and two canals to the St. Johns River in Sections 29, 30, 31, 32 and 43, Township 10 South, Range 27 East, and in Section 37, Township 10 South, Range 27 East, Putnam County.

The Director said the work was done many years ago by the applicant's predecessor, prior to 1967 when the Trustees began requiring such permits, and out of an abundance of caution the applicant desired to have a permit covering the work.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted, the Trustees authorized issuance of after-the-fact permit.

BAY COUNTY - Dredge Permit for Water Supply Canal, Section 253.123, File 455.

Marifarms, Incorporated, applied for permission to dredge a water supply channel 47 ft. wide, 5 ft. deep and 523 ft. long in Warren Bayou in Section 34, Township 2 South, Range 15 West, Bay County. The material removed would be placed on a dike around the shrimp impoundment area. The Director explained that the water supply was needed for the area in the applicant's upland now being used for raising shrimp, the water being pumped in and out.

The biological report was adverse but stated that changing the

alignment would not lessen damage because the seagrass growth was general in that area.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved the application.

DADE COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b) Florida Statutes, File 498.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application of Peoples Gas System, North Miami, Florida, to dredge to install a gas main in Biscayne Bay in Township 53 South, Range 42 East, Dade County, for which the $100 processing fee had been paid and the biological survey report was not adverse.

BROWARD COUNTY - Utility Installation, Section 253.03(7) F. S.
On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved the application of Southern Bell, Miami, Florida, for permission to lay a cable loosely on the bottom of North Fork of Middle River in Section 25, Township 49 South, Range 42 East, Broward County, for which the applicant had tendered check for $100. No dredging was required.

MONROE COUNTY - Fill Permit, Section 253.03 Florida Statutes, Breakwater Installation, Deed File No. 2161-44.
James L. Bell, represented by James T. Glass, applied for permit to construct a breakwater on submerged land purchased under Trustees Deed No. 25016, located in Section 15, Township 64 South, Range 36 East, Lower Matecumbe Key, Florida Bay, Monroe County.

The biological survey report was not adverse and the Bureau of Beaches and Shores, Department of Natural Resources, had no objection to the project.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the permit.

PUTNAM COUNTY - Spoil Easement, File No. 2314-54-253.03.
The Putnam County Port Authority by resolution adopted March 10, 1970, requested a spoil easement embracing 145 acres in the St. Johns River adjacent to Section 37, Township 9 South, Range 26 East, Putnam County, to be used in connection with construction and maintenance of a channel to the proposed barge port.

The project was reviewed by the Department of Natural Resources and the Game and Fresh Water Fish Commission, and the site was recommended in lieu of an original site nearer shore in a more productive area.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the easement to the Putnam County Port Authority.

VOLUSIA COUNTY - Temporary Easement, Extension.

Ponce de Leon Inlet and Port District, represented by Anthony J. Grezik, as the sponsoring agency for the federal stabilization

project of Ponce de Leon Inlet, requested a time extension to January 1, 1971, for Temporary Easement No. 2326 expiring April 18, 1970.

The Florida Board of Conservation initially reviewed the project plans and offered no objection when the Trustees considered the request on April 2, 1968.

On motion by Mr. Christian, adopted without objection, the Trustees authorized the extension of the easement time limit.

ST. LUCIE COUNTY - Temporary Borrow Easement, SAJSP Permit 70-110, Dredge Permit, Section 253.123 Florida Statutes.

The St. Lucie County Erosion District, represented by Weldon B. Lewis, County Administrator of St. Lucie County Commission, applied for two borrow areas for beach nourishment south of the Ft. Pierce Inlet. The biological survey report was not adverse.

Staff recommended temporary borrow easement to expire automatically after a period of three years, and a dredging permit to run concurrently with the easement.

On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the staff recommendation as the action of the Board.

LEGISLATION - On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Board authorized the Director to place in the hands of the proper legislative committees eight bills revising Chapter 253 which had been prepared by the staff and reviewed with staff members of each of the Trustees. A brief summary of the proposed bills is as follows:

1. Amends Sections 253.02 and 253.03(7) to restrict the uses to which monies in such fund may be put; prohibits loans or grants to other departments or units.

2. Amends Section 253.12(1) to rephrase the language relating to title to tidal and submerged bottom lands; puts the exception which previously appeared at the beginning of the opening sentence at the end for clarity.

3. Repeals Sections 253.03 through 253.33, under which the Board was authorized to borrow money and incur debts for drainage purposes.

4. Repeals Sections 253.16 through 253.20 and 253.22, all having to do with land grants for railroad construction.

5. Repeals Sections 253.24 through 253.28 having to do with forfeited land grants to corporations in aid of certain railroad, canal or communication line construction.

6. Repeals Sections 253.35, 253.351 through 253.356 which dealt with relocation of returned soldiers and the opening of state lands for homesteading because such sections have been superseded or invalidated by subsequent laws.

7. Repeals Sections 253.46 and 253.601, the former relating to the sale of moss from state lands and the latter dealing with oil and gas leases under conditions which no longer prevail.

8. This revisor's bill amends Sections 253.02, 253.03, 253.031, 253.032, 253.04, 253.05, 253.111, 253.12, 253.121, 253.123, 253.124 and 253.126, as to punctuation, grammar and elimination of inapplicable portions.

Mr. Adams said that at each session of the Legislature numerous bills are filed which had substantive effect upon the duties and responsibilities of the Trustees, and it was most important that the staff stay abreast of this legislation. The Director had reviewed the prefiled legislation and said he would make a report to the Trustees.

GLADES COUNTY - Lease Assignment.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees approved assignment of fish camp lease No. 1598 held by Max Mock and Harvey Arrington, to Harvey Arrington. Instrument of assignment by assignee had been reviewed and approved by staff legal counsel.

MONROE COUNTY - Lease Renewal.
Lee F. Franklin applied to renew lease No. 1779 expiring April 7, 1970, covering 1.02 acres east of U. S. Highway No. 1 on Barnes Sound occupied since 1947 by the applicant who operated a fishing guide and retail fish business. Current rental was $240 per year for lease with 120-day cancellation clause.

The staff appraiser inspected the site and recommended annual rental be increased to $500.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees authorized renewal of lease for an additional five years at $500 annually and 120-day cancellation clause.

PALM BEACH COUNTY - Agriculture Sublease Agreement.
On January 20 the Trustees deferred action on approval of sublease agreement from S. N. Knight & Sons, Inc., holder of Lease No. 2341, to Seminole Sugar Corp., pending receipt of additional information with respect to whether or not any of the lease area was involved in an agriculture subsidy program. An affidavit was filed stating that the area in the sublease covering 735 acres of the entire lease area of 3,742 acres, is actively utilized for agricultural purposes and no part of the property remains idle.

The sublease agreement was reviewed and approved by staff legal counsel and staff recommended approval by the Trustees.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the sublease agreement.

REFUND - Murphy Act Land. On motion by Mr. Conner, seconded by Mr. Christian and adopted without objection, the Trustees authorized refund of $15 to Jack Neese for the reason that the Department of Transportation did not recommend release of the state road right of way reservation contained in Bay County Murphy Act Deed No. 26.

On motion duly adopted, the meeting was adjourned.

3-31-70

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
April 7, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Governor's Office in the Capitol with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller - Present Part Time
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

On motion adopted without objection, the Trustees approved the minutes of the meeting of March 31, 1970.

DADE COUNTY - File No. 2268-13-253.12, Land Sale.
The application from Robert Livingston on behalf of Alec P. Courtelis and Jay I. Kislak for purchase of three contiguous parcels of sovereignty land in Biscayne Bay abutting Lots 57 through 62, inclusive, Block "B", Mary and William Brickell Subdivision, Plat Book "B" Page 96, Public Records of Dade County, containing 2.665 acres in Section 40, Township 54 South, Range 41 East, in the City of Miami, Dade County, had been considered by the Board on February 17, 1970, advertised in the Miami Herald and no objection to the sale received, and on this date the staff recommended sale at the appraised value of $92,869.92 for the parcel.

Applicant desired to construct high rise apartments on the parcel which was landward of the bulkhead line as confirmed by the Interagency Advisory Committee on June 20, 1968. The biological survey report dated November 24, 1969, was adverse; however an earlier biological report stated that the west shore of Biscayne Bay north of Rickenbacker Causeway had been previously affected by extensive dredge and fill operations.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees confirmed sale of the advertised parcel at the appraised value.

LEE COUNTY - File No. 2118-36-253.12, Land Sale.
The application from E. Mitchell Whaley on behalf of H. W. Marsh

and wife for purchase of a parcel of sovereignty land containing 0.2 acre in Ostego Bay abutting Section 29, Township 46 South, Range 24 East, Lee County, had been considered by the Trustees on December 23, 1969, advertised in the Fort Myers News Press, and on February 17 the Board deferred action for an updated appraisal. An appraisal of $1,947 per acre, or $390 for the parcel, was made by Hamilton Hunter, M. A. I., and reviewed by the Staff Appraiser on March 27, 1970.

Four objections to the sale were mainly to any dredging in the area. The biological survey report was not adverse and the bulkhead line was approved by the Trustees on January 23, 1968. Applicant was a small residence builder needing the parcel to fill an abandoned drainage ditch and round out a development.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees approved the staff recommendation that objections be overruled and sale confirmed subject to the applicant paying the appraised value and cost of appraisal.

DADE COUNTY - Dedication No. 23991.
The City of North Miami requested approval of a revocable license providing for operation of a concession upon Spoil Island No. 1, one of the spoil islands in Biscayne Bay dedicated to the city for public purposes. The license would reserve to the city control of concessionaire's activities subject to Trustees' approval of plans and operational procedure. Licensee would be required to have public liability insurance and other provisions in the license would hold the Trustees harmless from liability actions.

The Director said the agreement was a tight control on a licensed operator, but the real consideration was a policy question as to whether the Trustees desired to lease spoil islands. He said the staff felt this would be the best way to handle it and recommended approval.

Mr. Joseph H. Weil represented President Stanley Goldberg of the Sailing Club Corp., proposed licensee. City Manager Edward J. Connell of North Miami explained that the license proposal would provide for use by the entire general public and more public facilities than the city had been able to place on the spoil islands, that the city had advertised and negotiations had been going on with the only party interested for two years. Mr. Weil said the city had given the spoil islands minimal use and saw no harm in allowing someone an opportunity to make some improvement in facilities for use by the general public, and there was no objection at the local hearings. Answering a question as to the possibility of pollution, he pointed out that Dade County had very strict pollution control.

Mayor Sheppard Broad of the Town of Bay Harbor Islands opposed a license to a private party to allow profit to be made upon land dedicated for public park and recreation. He pointed out that it was the responsibility of the City of North Miami to maintain the areas dedicated to it for public purposes, that the spoil banks were subject to continued use for spoil deposit and should be left as they were and not despoiled for private profit. He also raised questions as to pollution, financing of the project, and the policy involved.

Referring to spoil islands in general, Mr. Adams recommended that the staff call the matter to the attention of the Division of Recreation and Parks and work toward making such islands more useful to the public as marine parks.

When the Acting Chairman asked for a motion, none was offered and the staff recommendation for approval failed for lack of any action by the Trustees.

DADE COUNTY - Bids for Rock Mining Leases.
On February 3, 1970, the Trustees approved establishment of guidelines for leasing land for rock mining. On February 17 and 24 the Board authorized advertisement of two areas in Dade County for rock mining leases, and invitations to bid were published in the Miami Herald and the Tallahassee Democrat pursuant to law, sealed bids to be received on or before 9 a.m. on April 7 and considered by the Trustees on this date.

For one area described as Hiatus Government Lots 4 and 5, Township 53/54 South, Range 39 East, containing 1,015.6 acres, more or less, in Dade County, there were two bids. Florida Stone and Materials, Inc., bid 8.6 cents per short ton. Maule Industries, Inc., submitted the high bid of 12.3 cents per short ton.

For the other area, 1,000 acres in Sections 22 and 23, Township 53 South, Range 39 East, Dade County, one bid was received from Seminole Rock Products, Inc., of 7 cents per short ton.

The Director said it appeared that all bids were legitimate bids and in order, but the staff requested that they be held for one week for study of the recreation plans proposed by the bidders. There was a two-fold purpose for the mining lease, one to gain revenue from the rock and the other to develop and leave the areas ultimately so that they could be used as recreation parks.

Mr. Fritz Gibson, Jr., presented and read a letter to the Trustees from Maurice A. Ferre, President of Maule Industries, Inc., with the explanation that he had hoped to have an opportunity to read the letter before the bids were opened. In submitting a bid proposal as a business corporation, nevertheless Maule Industries protested the position of the Trustees in disposing of public property through the medium of a mining lease, tieing up future assets for a thirty-year period for the financial benefit of a few, competing with private enterprise, and setting a bad precedent and an unfair disposition of public property.

Speaking for the Trustees, Mr. Adams thanked Mr. Gibson for reading the letter but said he thought Mr. Ferre's information was not well founded, that as Trustees of the area in question the Board sought to use the value of the material, as oyster shell, sand and fill material were mined and sold, while the Board would be joining hands with the successful bidder in developing the mined lands into areas useful to the public for recreation.

Mr. Williams said public parks would be built at no cost to the state as a result of the mining operation, and the state would get paid for the rock material.

Without objection, the Trustees received the bids and authorized holding them for a week while the staff evaluated the proposals.

PINELLAS COUNTY - Fill Permit, Section 253.124 Florida Statutes.
Pinellas County Water and Navigation Control Authority issued a fill permit in Section 23, Township 15 South, Range 31 East, Boca Ciega Bay, subject to Trustees' approval, to Investors Development Corporation, for filling approximately 0.7 acres within the

boundaries of the Boca Ciega Bay Aquatic Preserve - but the land was in private ownership.

The biological report was adverse. The application was removed from the agenda on February 24, 1970, when it was reported that the applicant had already begun work. On-site inspection by the staff revealed that only a seawall was being constructed, and this was being done by the contractor without the developer's knowledge. The Director felt that the limited work that had been started and was stopped immediately did not represent bad faith on the part of the applicant.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized approval of the fill permit.

POLICY - Offshore Campsite Leasing.
Prior to December 9, 1969, the staff made an investigation of structures offshore from Pasco County in the Gulf of Mexico that had been severely damaged by Hurricane Gladys in 1968, and the Board considered the staff recommendation for issuance of campsite leases for private purposes to those filing applications. However at that meeting some members felt that the structures were unsightly and there should be a policy of phasing them all out. The Attorney General asked for an opportunity to study the policy of giving leases where structures existed.

As requested, the staff had worked up the following suggested policy with respect to future leasing of submerged land for private campsite purposes:

> Require all structures in existence to be under lease for so long as the structure remains in existence.
> Lease to terminate automatically in the event the structure is destroyed or abandoned.
> No leases to be issued for new structures or for rebuilding a structure which has been destroyed or removed by natural forces or other means.
> Lease terms proposed are for private campsite purposes only, for five years with year to year renewal, annual rental of $100 for a one-acre site, and cancellation privilege by the Trustees after 120-day written notice.

The Trustees considered the above alternate proposal, and also reconsidered the recommendations made on December 9, 1969, to allow the rebuilding of structures that were destroyed by the hurricane but to allow no new ones to be constructed.

Treasurer Broward Williams made a motion that the Trustees approve the proposal as recommended on December 9, 1969, as follows:

> Issuance of a campsite lease for private purposes only to those filing applications containing necessary maps and data evidencing having had structures in existence prior to Hurricane Gladys. Lease terms would include a 90-day cancellation clause, annual rental of $100 for one-year term with option to renew on a year-to-year basis for an additional four years. Leases would be subject to all applicable laws and regulations.

Mr. Christian said those applicants in Pasco County could come back and reconstruct their houses under leases. He seconded the motion.

On the earlier proposal of December 9, substituted for the policy set out on the agenda of this date, the Trustees adopted the motion

by Mr. Williams, seconded by Mr. Christian, with one negative vote by Mr. Adams.

The above agenda items had been taken out of order to accommodate parties who had to make travel connections, since the entire Trustees' agenda on this date had to be delayed until three o'clock in the afternoon because of the joint session of the Legislature. The following matters were considered in the order in which they appeared on the agenda.

VOLUSIA COUNTY - File No. 2184-64-253.12, Land Sale.
The application from V. G. Stepp on behalf of R. E. Chaddock for purchase of a parcel of sovereignty land in the Halifax River abutting Section 27, Township 15 South, Range 33 East, 0.09 acre more or less, in Volusia County, had been considered by the Board on February 17, 1970, advertised in the Daytona Beach Journal and no objection to the sale received. On this date the staff recommended sale at the appraised value of $250 for the parcel.

The biological survey report was not adverse. The area applied for was a small pocket with seawall constructed along the north side, did not extend to the bulkhead line established by Volusia County, and staff felt that the application would come under the hardship provisions of the policy adopted July 1, 1969.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees confirmed sale of the advertised parcel at the appraised value.

PUTNAM, VOLUSIA, ST. LUCIE COUNTIES - Easements.
On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees reconfirmed the following easements that were approved last week by four members:

Putnam County - Spoil Easement to Putnam County Port Authority, File No. 2314-54-253.03
Volusia County - Temporary Easement time extension to Ponce de Leon Inlet and Port District
St. Lucie County - Temporary Borrow Easement, SAJSP Permit 70-110, to St.Lucie County Erosion District.

BREVARD COUNTY - Bulkhead Line Review, City of Titusville.
The Titusville City Council on January 26, 1970, reviewed and reconfirmed the existing approved bulkhead line within the City of Titusville in response to Report No. 1 issued by the Interagency Advisory Committee on Submerged Land Management.

The staff recommended acceptance of the report with the condition that all dredge areas used to obtain fill material be located in water depth greater than six feet mean low water in accordance with the recommendations of the Interagency Advisory Committee and the Department of Natural Resources.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees accepted the City of Titusville report of bulkhead line review subject to the condition as recommended by the staff as to dredge areas.

FRANKLIN COUNTY - Use Agreement No. 2118.
The United States Army, Corps of Engineers, Mobile District, requested extension of a use agreement entered into on July 27, 1965, that expires June 30, 1970, covering three small spoil islands at the mouth of the Carrabelle River in Carrabelle, Franklin County, used in connection with a Multiple Airborne Target Trajectory System site (MATT System).

On motion by Mr. Williams, seconded by Mr. Christian and adopted, the Trustees authorized extension of the use agreement to June 30, 1975.

CHARLOTTE COUNTY - Corrective Deed.
Earl D. Farr, Jr., on behalf of Earl D. Farr, requested a corrective instrument to clear a deficiency in the description in Deed No. 19929 that conveyed an island in Charlotte Harbor lying in Township 42 South, Range 22 East, Charlotte County, on November 26, 1951. The Bureau of Land Management, U. S. Department of the Interior, surveyed the island and identified it as Tract 52,and Swamp Patent No. 1241992 carried the same description.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of corrective deed for $25 charge.

INDIAN RIVER COUNTY - Easement.
Sebastian Inlet District by resolution adopted February 27, 1970, requested two easements for right of way in connection with the extension of the jetty on the south side of the Sebastian Inlet and the replenishing of the state-owned beach south of the inlet. The easement areas were located on portions of the new Sebastian Inlet State Park.

The Division of Recreation and Parks, Department of Natural Resources, coordinated with the Sebastian Inlet District on the project and concurred in the request.

On motion by Mr. Conner, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the two right of way easements.

ST. JOHNS COUNTY - Easement.
The Department of Transportation requested a temporary easement for borrow pit purposes covering 1.84 acres in Section 27, Township 7 South, Range 30 East, St. Johns County, that was a part of Anastasia State Park. The State Parks Director approved the temporary easement and agreement had been reached with the Department of Transportation whereby the proposed borrow pit would be excavated in such a manner that it would be usable as a small lake in the future.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the easement.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S., to improve navigation and to fill purchased submerged land, Deed No. 21858.
James T. Glass, on behalf of Jerome Shipley, applied for permit to dredge 30 ft. wide by 5 ft. deep by 200 ft. long navigation channel,

and a 70 ft. wide by 15 ft. deep by 200 ft. long boat basin on submerged land purchased from the Trustees in Section 11, Township 61 South, Range 39 East, Blackwater Sound, Key Largo in Monroe County. The material removed would be placed on applicant's upland and a breakwater would be constructed on purchased submerged land as a protection for the boat basin.

The biological survey report was adverse, but the applicant amended his application to conform to recommendations in the report. The Bureau of Beaches and Shores submitted a letter of no objection to the project.

On motion by Mr. Christian, seconded by Mr.Williams and adopted, the Trustees authorized issuance of the requested dredge and fill permit.

ST. JOHNS COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

St. Augustine Beach South Corp., represented by Emmett W. Pacetti, applied for permission to dredge a navigation channel 50 ft. wide, 5 ft. deep and 5,400 ft. long adjacent to applicant's upland in Section 27, Township 8 South, Range 30 East, Intracoastal Waterway in St. Johns County. The material removed will be placed on the applicant's upland. The biological survey report was not adverse.

Mr. Adams said the application had been deferred the week before at his request, that he had discussed it with the Director who felt that as long as such channels were held to minimum dimensions they should be allowed for navigation. Mr.Adams withdrew his objection but requested that the staff review the matter of fill material cost and pays for removal from state bottoms, to develop a better overall policy.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the dredge permit was approved.

BAY COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 496.

Ted Alford, in care of H. Skeet Benton of Panama City, Florida, applied for permit to dredge a navigation channel 450 ft. long, 50 ft. wide and 5 ft. deep in Section 28, Township 3 South, Range 15 West, North Bay, to accommodate a marina proposed to be constructed on upland. The material removed will be placed on applicant's upland. The biological report was adverse.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved issuance of the dredge permit to improve navigation.

ESCAMBIA COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 494.

D. J. Wagner applied for permission for maintenance dredging in Section 50, Township 2 South, Range 30 West, Bayou Grande in Escambia County, in an area where siltation made access to applicant's dock difficult.

The biological report was not adverse. Material removed will be placed on upland property. A portion of the work had been done, but the applicant stopped dredging when informed that he needed a permit.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the dredge permit.

SARASOTA COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Sarasota County Water and Navigation Control Authority issued a maintenance dredging permit, subject to Trustees' approval, to George E. Schmidt for a dredge area 80 ft. long, 1.5 ft. deep (additional cut below existing bottom), and 9 ft. wide in Section 14, Township 40 South, Range 19 East, Forked Creek, Sarasota County. The material would be placed on upland property. The biological survey report was not adverse.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved issuance of the permit.

MONROE COUNTY - Dredge Permit, Section 253.03 Florida Statutes, After-the-Fact Navigation Channel.

Tropical Isles, Inc., applied for after-the-fact dredge permit for a navigation channel 2,500 ft. long, 30 ft. wide and 6 ft. deep adjacent to Section 2, Township 67 South, Range 29 East, at Cupon Bight, Big Pine Key in Monroe County.

The material was spoiled along side the channel but will be removed to applicant's ownership. Applicant submitted check for $2,120 as payment for the 21,200 cu. yds. of material removed from the channel. The violation was discovered prior to the adoption of the policy charging three times the value of fill material for the subject location. No access to the site is available except through the applicant's property. Biological report was adverse.

The Director said that under the circumstances the staff recommended this permit, that the piled-up material was causing a problem and the applicant would remove it in addition to paying 10¢ per cubic yard for the material.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the permit was approved.

LAKE COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b), File 502.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of dredge permit to Astor-Astor Park Water Association to install a water main in Section 19, Township 15 South, Range 28 East, St. Johns River in Lake County. Applicant had tendered check for $100, the required processing fee. The biological report was not adverse.

DADE COUNTY - Dredge Permit, Section 253.123 F. S., File 268.

On April 8, 1968, the Trustees approved a dredge permit to Welan Investment Company for the removal of 200,000 cubic yards of material from Biscayne Bay in Section 15, Township 54 South, Range 41 East, Dade County, contingent upon payment for the material being made.

Applicant tendered check for $20,000 and requested that the permit be issued to Sailboat Key, Inc., Burton Goldberg, President.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the permit

to Sailboat Key, Inc.

BREVARD AND INDIAN RIVER COUNTIES - Utility Permit, Sec. 253.03(7)
On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees approved the application of Southern Bell Telephone and Telegraph Company for a permit for a cable on the bottom of Sebastian River in Section 23, Township 30 South, Range 38 East, Brevard and Indian River Counties. The applicant tendered check for $100, the required processing fee.

DUVAL COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of a state commercial dock permit to Confederate Point Apartments, Ltd., represented by Harbor Engineering Company, for a dock facility for apartment tenants in Fishing Creek adjacent to Section 42, Township 3 South, Range 26 East, Duval County. All required exhibits and $100 processing fee had been submitted.

PINELLAS COUNTY - Dock Permit, Marine Railway, Section 253.03 F. S.
On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of a state commercial dock permit, approved by Pinellas County Water and Navigation Control Authority, to South Pasadena Marina, Inc., for construction of a marine railway facility adjacent to Bear Creek in Section 30, Township 31 South, Range 16 East, Pinellas County. All required exhibits and $100 processing fee had been submitted.

CANAL AUTHORITY - The staff requested authority for the Executive Director to execute the satisfaction of mortgage as recommended by staff legal counsel, for that mortgage which was given by the Canal Authority of the State of Florida on August 4, 1964, to secure payment on a loan made to the Canal Authority in the amount of $1,200,000 that had been fully paid.

Motion was made by Mr. Williams, seconded by Mr. Christian and adopted without objection, that the Executive Director be authorized to execute the satisfaction of mortgage.

DUVAL COUNTY - Temporary Spoil Easement.
The Department of Natural Resources, Division of Parks and Recreation, on March 24, 1970, granted approval for the release of 95 acres of land within the Huguenot Memorial in Duval County to be used as a spoil area by the Jacksonville Port Authority for channel dredging by the U. S. Corps of Engineers to deepen the St. Johns River channel.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees granted the spoil easement for a two-year period.

ST. LUCIE COUNTY - Dredge Permit, Section 253.123 F. S., File 326.
The Outdoor Resorts of America, Inc., represented by William J. Roberts, attorney, requested revival of dredge permit for the completion of the Nettles Island fill project and submitted check in the amount of $15,000 for 150,000 cubic yards of fill material to be

taken from a borrow area in the Indian River adjacent to the Intracoastal Waterway in Section 3, Township 37 South, Range 41 East, St. Lucie County.

The staff recommended denial on the basis that it would violate the philosophy and policy adopted in connection with establishment of the aquatic preserve concept that opposed taking of material from submerged lands for the purpose of filling upland. The area from which the material was proposed to be removed was within Aquatic Preserve A-10. The biological survey report was adverse and numerous objections were filed to granting of any dredging permits. The staff recommended that the borrow area be relocated in the Intracoastal Waterway channel, however the applicants could not accept that as it would result in a considerable delay. The Director said that the county administrator indicated that a possible encroachment should be checked out. It was further explained that the project was largely completed as a result of valid permits, that the Trustees did not object to the issuance of Corps of Engineers Permit SAJSP (65-573) which contemplated dredging from the area now desired, that permit had expired and the applicant had applied for a new permit identified as SAJSP (70-60).

The applicant had indicated that it would reduce the size of the borrow area by one-half of the original area, would post a bond for maintenance of dikes, spillway pipes and vertical risers as heretofore required on other projects. Also applicant agreed to on-site inspection by the Department of Natural Resources personnel to determine the amount of damage to the submerged bottoms by prior operations, and agreed to the requirements for taking turbidity tests while the project is under way.

Secretary of State Tom Adams said he had opposed granting the channel dredging permit approved by the Trustees on November 4, 1969, but there was a matter of equity, that the Board had concurred in the Corps of Engineers permit, there was no charge for the fill material then, and had the work been completed on time (had the dredge not sunk), it would have been prior to the creation of the Aquatic Preserve. He understood the new owners were told there would be no problem with the Corps of Engineers or the Trustees' regulations, went ahead on their financing; now the Trustees would have to try to balance the equities against the changed rules after dredging had been about 80% completed. The dredging already done had affected the dredge area that was only a short distance from the Intracoastal Waterway anyway, 10¢ per cubic yard charge would be assessed, all the requirements established for another project (Curtis-Wright) would be imposed, and changing the dredge area to the Intracoastal Waterway would necessitate a 30-day advertising period.

The Director said there were equities, but the staff could not recommend granting a dredge permit to get fill material within an Aquatic Preserve, but only to dredge navigation channels.

Treasurer Broward Williams thought the Board should allow completion of the project under the protective requirements including bond, etc., with the material paid for at 10¢ per cubic yard, and on motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application for dredge permit.

On motion duly adopted, the meeting was adjourned.

4-7-70

SECRETARY OF STATE - ACTING CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
April 14, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the office of the Governor in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

Pursuant to the cabinet rule adopted last week, minutes of the meeting of April 7 will be presented for approval two weeks from that date, on April 21.

MONROE COUNTY - File No. 2295-44-253.12, Land Sale.
On February 17, 1970, the Trustees considered application from the United States Navy for conveyance of a parcel of sovereignty land in Key West Harbor abutting Pier No. 3, U. S. Naval Station Annex, Key West, Monroe County, for the $100 minimum consideration.

The biological survey report was not adverse, and no objection was filed pursuant to publication of notice in the Key West Citizen (proof of publication filed in the Trustees' office).

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved conveyance of the advertised parcel to the United States Navy for the $100 minimum consideration.

OSCEOLA COUNTY - File No. 2299-49-253.36 Deferred.
Temple Baptist Building Assoc., Inc., applicant for purchase of 0.6 acre parcel of reclaimed lake bottom in East Lake Tohopekaliga abutting Section 19, Township 25 South, Range 31 East, Osceola County, represented by O. Preston Johnson, had objected to the valuation by the staff appraiser. The land was advertised for objections and for consideration on this date, but applicant had been notified that the staff would recommend deferment until the staff appraiser re-evaluates the appraisal.

Without objection, the Trustees deferred consideration of the proposed sale.

MONROE COUNTY - Land Exchange, File No. 2290-44-253.42.
On February 17, 1970, the Trustees considered a land exchange proposed by Joseph G. Moretti, Inc., represented by James E. Glass, in which the Trustees would convey 8.5 acres of sovereignty land in Florida Bay abutting Sections 22 and 27, Township 62 South, Range 38 East, Key Largo, Monroe County, and the applicant would convey to the Trustees 7.5 acres of upland covered with a heavy growth of mangrove and in addition would quitclaim approximately 100 acres of sovereignty land within erroneously located meander lines. The 100 acres was to be quitclaimed for clearing title and establishing definitive boundaries between the applicant and the state lands. Applicant will develop a mobile home subdivision.

A comparable appraisal made by Joseph T. Lance of Key Largo and reviewed by the Trustees' staff appraiser established a value of $1,500 per acre for the land to be exchanged. Applicant submitted a check to cover the one acre difference in the exchange.

The biological report was adverse. The applicant greatly modified his original plan, eliminating a large area of the proposed dredging and offering the 7.5 acres of upland to the Trustees. Staff was of the opinion that the 7.5 acres was of substantial value from a conservation standpoint and would offset damage caused by the project.

Notice of the application was published in the Key West Citizen, proof of publication filed in the Trustees' office. An objection received from the superintendent of Everglades National Park was subsequently withdrawn.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted, the Trustees approved the staff recommendation for approval of the land exchange for $1,500 consideration and payment by the applicant of the appraisal cost.

MONROE COUNTY - File No. 2304-44-253.12, Application to Advertise.
Robert O. Reinert, represented by James T. Glass, offered the appraised value for purchase of a parcel of sovereignty land in the Atlantic Ocean abutting Section 6, Township 64 South, Range 37 East, Upper Matecumbe Key in Monroe County, containing 0.24 acre. The applicant desired to fill the parcel to eliminate a stagnant pocket. The land applied for is in a dredged area, and spoil from dredging a navigation channel applied for by the applicant would be placed on the subject parcel. Sovereignty lands on each side of the parcel had been sold and one filled. The Director said it appeared that the applicant had a legitimate need for the small parcel.

The biological survey report was adverse, stating that dredging and spoiling would have definite adverse effects on marine habitat in the remaining undredged area.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized advertisement for objections only.

BREVARD COUNTY - File No. 2320-05-253.03, Permanent Spoil Easement.
Canaveral Port Authority, represented by Edward M. Jackson, requested an assignable permanent spoil easement embracing 25.9 acres of sovereignty land in the Atlantic Ocean lying offshore and adjacent to Government Lots 1 and 3, Section 14, Township 24 South, Range 37 East, to accommodate discharge material from the sand transfer plant project. A permit to place material from the sand

transfer plant was authorized April 7, 1970, by the Department of Natural Resources.

As recommended by the staff, motion was made by Mr. Faircloth, seconded by Mr. Adams and adopted, that permanent easement be granted upon delivery of Order of Taking in the suit styled Canaveral Port Authority v. Seaboard Loan Co., et al, Case No. 45326, 18th Judicial Circuit, Brevard County.

INDIAN RIVER COUNTY - Pelican Island National Wildlife Refuge, Commitment for Wilderness Area.

The United States Fish and Wildlife Service requested the Trustees to make a commitment to assist in the establishment of a "Wilderness Area" to be contained within Pelican Island National Wildlife Refuge. The Fish and Wildlife Service indicated that it would help to move the wilderness legislation through the congressional committee if the Trustees agreed to convey all state-owned land within the refuge through land exchange or otherwise to the United States.

By Lease Agreement No. 2330 the Trustees on May 21, 1968, committed 4,760 acres of sovereignty land only to a 10-year lease with option to renew, to the Fish and Wildlife Service. The requested commitment would indicate a step toward conveyance of the swamp and overflowed land, the Governor commented. He spoke of the significance of the Pelican Island National Refuge, the dedication of the island now known as Pelican Island by President Theodore Roosevelt in 1903 having created the nation's first bird refuge.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees agreed to commit themselves to the creation of a Wilderness Area within the refuge and to convey all state-owned swamp and overflowed and sovereignty lands within the boundaries of the Pelican Island National Wildlife Refuge on the condition that lands of equal value owned by the United States be exchanged for state lands; also, on condition that abutting riparian upland owners be allowed to construct a reasonable number of navigation channels for purposes of ingress and egress by boat consistent with Section 5 of Lease Agreement No. 2330.

INDIAN RIVER COUNTY - Land Exchange, Corrective Deed, Section 253.42 Florida Statutes.

Robert F. Lloyd, representing Afam Island Corporation, successor in title to Floyd F. Koogler, grantee in Trustees Deed No. 20533A dated August 16, 1968, requested conveyance by the Trustees of approximately 28.5 acres in the northerly part of Wabasso Island in the Indian River in Township 31 South, Range 39 East, Indian River County. Afam Island Corporation in exchange would convey approximately 30 acres in the same location.

Staff recommended approval of the exchange to clarify boundary description which was in error in Trustees Deed No. 20533A.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the staff recommendation.

PINELLAS COUNTY - Boundary Line Agreement.

J. Hilbert Sapp, represented by William J. Roberts, requested that the Trustees enter into a boundary line agreement to clear title to swamp and overflowed lands bordering on navigable waters within Government Lot 3. All of the swamp land involved lay landward of

the bulkhead line established by the City of St. Petersburg. The applicant will quitclaim areas lying bayward of the proposed boundary line and in turn desired the Trustees to disclaim interest in lands landward of the proposed line. All upland development would be accomplished without dredging for fill material in navigable waters.

The staff had attempted to preserve some of the mangrove growth within the area and involved itself in the tentative layout of the project. Staff recommended that boundary line agreement be entered into with certain requirements.

As recommended by the staff, motion was made by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, that the Trustees enter into the boundary line agreement subject to the applicant furnishing a title certificate showing ownership of record and that the area to be quitclaimed be free of liens or other encumbrances, in consideration for such quitclaim the Trustees to authorize issuance of an ex parte disclaimer. Also, the applicant should furnish appropriate maps of surveys and legal descriptions.

DADE COUNTY - Rock Mining Leases.
On April 7 the Trustees received and held for a week bids for rock mining leases on two different tracts of state land in Dade County. The bids and recreation plans were reviewed by the staff of the Trustees and of the Division of Recreation and Parks, and report was submitted to the Trustees.

In view of the short time available to evaluate and prepare the report, the Director suggested a week's delay on awarding the lease for which there were two bids received - from Florida Stone and Materials, Inc., and Maule Industries, Inc., for Hiatus Government Lots 4 and 5, Township 53/54, Range 39 East, Dade County.

The Director recommended that the Trustees accept the bid of seven cents per short ton from Seminole Rock Products, Inc., and the recreation plan submitted to develop and leave that area - 1,000 acres in Sections 22 and 23, Township 53 South, Range 39 East, in Dade County. Over the life of the 30-year lease, if the company excavated to 40 feet, the results would bring revenue of over five million dollars and an excellent recreation area with about 250 acres of upland and about 750 acres of lakes. The Director said the recrea- plan would be the major consideration, and the bid was above the required minimum for the rock material.

Mr. Adams commented on the greater consideration given to the recreation plan so that the unit bid was not necessarily the total deciding factor. He asked that copy of the lease be furnished to members and Mr. Christian asked that maps be available, also.

Motion was made by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, that the Trustees accept the bid and award lease to Seminole Rock Products, Inc., for rock mining in Sections 22 and 23, Township 53 South, Range 39 East. The Board deferred consideration of the bids for the other tract for a week.

COLLIER COUNTY - Geophysical Permit.
Phillips Petroleum Company requested permission to conduct a geophysical survey across Section 16, Township 49 South, Range 31 East, Collier County, using explosive charges not exceeding 25 pounds in shot holes varying in depth from 30 to 80 feet at 800-foot interval spacing. Dr. Robert O. Vernon, State Geologist, recommended issuance of permit provided all shot holes are filled

in accordance with accepted practice and a map furnished showing location of all holes.

Written consent was obtained from Thomas H. Baker, holder of Grazing Lease No. 2308-S covering the said Section 16.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of 90-day permit subject to the foregoing conditions.

LEVY COUNTY - Dredge and Fill Permit, Sections 253.123 and 253.124. John P. A. Wilson, granted a dredge permit September 2, 1969, to dredge 2,700 cubic yards of material from a navigation channel and fill approximately one acre in Section 32, Township 15 South, Range 13 East, adjacent to the main ship channel at Cedar Key, Levy County, had reduced the dredge area to 50 ft. wide and the fill area to extend only 100 ft. from the existing shore line, upon request by the United States Fish and Wildlife Service.

On staff recommendation, motion was made by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, that the Trustees approve the amended application.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 Florida Statutes, Deed File No. 21815.
Outdoor Resorts of America, Inc., applied for permit to dredge six canals and a marina and to fill approximately 9.0 acres of submerged land in Section 7, Township 65 South, Range 35 East, at Long Key, Florida. All dredging and filling would be done on applicant's upland and submerged land previously purchased.

The biological survey report was adverse, but the Director said it was in an area that was not highly valuable and the staff recommended approval of the application based on the fact that it was a situation that would undoubtedly end in litigation.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application for dredge and fill permit.

BREVARD COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b)
On motion by Mr. Williams, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of dredge permit to Florida Power and Light Company for installation of a power cable in Sections 10 and 11, Township 27 South, Range 37 East, Banana River, Brevard County, for which applicant tendered check for $100 and the biological report was not adverse.

BREVARD COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.
Houdaille-Duval-Wright Company applied for permit for two navigation channels in Township 24 South, Range 36 East, Banana River in Brevard County, one channel 275 ft. by 6 ft. by 100 ft. and the other 240 ft. by 6 ft. by 100 ft., the material from which would be used as embankment fill.

The biological report was not adverse. The area was within an aquatic preserve.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees authorized dredge permit for the navigation channels contingent upon receipt of payment for the dredged material.

BROWARD COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b)

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of dredge permit to Florida Power and Light Company for installation of a power cable in Section 30, Township 48 South, Range 43 East, Intracoastal Waterway, Broward County, for which applicant tendered $100 processing fee and the biological report was not adverse.

DUVAL COUNTY - Dredge Permit to Improve Navigation, Section 253.123.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of a dredge permit to Seabrook Cove, Inc., for maintenance dredging in a manmade canal in Sections 41 and 52, Township 2 South, Range 27 East, Arlington River, Duval County. The material would be placed on the applicant's upland, and the biological report was not adverse.

DUVAL COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 497.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of permit to Kaiser Gypsum Company for maintenance dredging in Sections 41 and 42, Township 1 South, Range 27 East, St. Johns River, Duval County. The silt and other materials would be placed on applicant's upland. The biological survey report was not adverse.

DUVAL COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes, File 514.

On motion by Mr. Dickinson, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of permit to Confederate Point Apartments, Ltd., for dredging a navigation channel 1,020 ft. long, 50 ft. wide and 5 ft. deep in Section 42, Township 3 South, Range 26 East, Fishing Creek in Duval County. The material would be placed on applicant's upland. The biological survey report was not adverse.

ESCAMBIA COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a permit to Ira D. Wells of Gulf Breeze, Florida, for a navigation channel 175 ft. long, 50 ft. wide and 5 ft. deep in Township 2 South, Range 27 West, Santa Rosa Sound in Escambia County. The applicant had revised the plan to comply with recommendations in the biological report which was not adverse, and the material removed would be placed on upland property.

GULF COUNTY - Dredge Permit for Maintenance Dredging, Section 253.123 Florida Statutes.

Port St. Joe Port Authority, represented by Tom S. Coldewey, applied for permission to remove accumulated material from along the shoreline which was causing channel shoaling in the harbor in

Section 35, Township 7 South, Range 11 West, St. Joseph Bay in Gulf County. Removal of the material was recommended by the Air and Water Pollution Control Department, the biological report was not adverse, and the material would be placed on upland property.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the permit for maintenance dredging.

MONROE COUNTY - Dredge Permit to Improve Navigation, Section 253.03 Florida Statutes, File 165.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of a dredge permit to J. E. Peterson for a navigation channel 40 ft. wide, 300 ft. long and 5 ft. deep in Big Spanish Channel in Section 18, Township 66 South, Range 30 East, Monroe County. The material removed would be placed on the applicant's upland. Biological survey report was not adverse.

PALM BEACH COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Malcolm Seymour applied for a permit to dredge a navigation channel 60 ft. wide, 250 ft. long and 5 ft. deep in Section 31, Township 40 South, Range 43 East, Intracoastal Waterway, Palm Beach County, from which the material removed would be placed on his upland property. The biological report was not adverse.

On January 27 the applicant was issued a permit to dredge a navigation channel and boat basin - which were never dredged. The $50 check tendered as minimum payment for overdredge material will be applied to the current application involving less than 500 cubic yards of overdredge material (60 ft. wide channel instead of the standard 50 ft. width).

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the dredge permit.

PINELLAS COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Pinellas County Water and Navigation Control Authority issued a permit, subject to Trustees' approval, to M. F. Hebb, Jr., to dredge a navigation channel 150 ft. by 45 ft. by 5 ft. in Section 7, Township 32 South, Range 17 East, Tampa Bay, Pinellas County. The channel would be on submerged land in private ownership, material removed would be placed on upland, and the biological survey report was not adverse.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the dredge permit.

POLK COUNTY - Dredge Permit to Improve Uplands, Section 253.123 Florida Statutes, File 439.

C. E. Uhls of Haines City, Florida, applied for permission to remove 700 cubic yards of material from Lake Marion in Lot 12, Lake Marion Home Sites, Polk County. He tendered $70 payment for the material to be placed on his upland property. The biological report was not adverse.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the permit for taking fill material subject to the stipulations set forth in the biological report.

ST. LUCIE COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.
Windmill Village By the Sea applied for a permit for a navigation channel 50 ft. wide, 320 ft. long and 4 ft. deep in Section 11, Township 37 South, Range 41 East, Indian River in St. Lucie County. The material removed would be placed on applicant's upland.

The biological report was not adverse. Since the area was within an aquatic preserve, applicant tendered check for $180 as payment for 1,800 cubic yards of material, in compliance with the policy adopted November 18, 1968.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permit for $180 charge for material.

PUTNAM COUNTY - Utility Permit, Section 253.03(7) Florida Statutes.
Southern Bell Telephone and Telegraph Company tendered check for $100, required processing fee, for permit to lay three telephone cables loosely on the bottom of the St. Johns River in Putnam County.

On motion by Mr. Williams, adopted without objection, the Trustees approved issuance of the permit.

MARTIN COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of state commercial dock permit to Henry Crane for a dock and finger piers adjacent to applicant's upland in Manatee Pocket at Salerno in Section 23, Township 38 South, Range 41 East, Martin County, for which all required exhibits and $100 processing fee were submitted. The structures will be for the general use of tenants of the apartment house and no fees would be charged.

PINELLAS COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of state commercial dock permit, approved by Pinellas County Water and Navigation Control Authority, to Pasadena Apartments, Inc., for construction of a dock at Lots 21 through 29 Pasadena Plaza in Boca Ciega Bay for use by apartment tenants, for which all required exhibits and $100 processing fee were submitted to the Trustees' office.

OKALOOSA COUNTY - Dock Permit, Section 253.03 Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of state commercial dock permit to Captain Howard C. Marler, Jr., for his personal charter boat business. The structure would be in Old East Pass Lagoon in Township 2 South, Range 24 West at Destin, Florida. All required exhibits including $100 processing fee were submitted. Applicant would lease no spaces.

ST. LUCIE COUNTY - Dock Permit, Section 253.03 Florida Statutes. On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of state commercial dock permit to Lydia Yacht, Inc., for a dock on the west side of the St. Lucie River in Section 32, Township 37 South, Range 41 East, in St. Lucie County, for which all required exhibits and $100 processing fee were submitted. The structure would be for the applicant's yacht construction business and no spaces would be leased.

TRUSTEES FUNDS - In order to take full advantage of the current high yield available through purchase of United States Treasury Bills, staff requested authority to invest in these U. S. securities as excess cash becomes available, without specific Board approval. All transactions would be handled through the State Board of Administration. There was $100,000 available for shore term investment at this time.

Mr. Dickinson commented that this would be done through Mr. E. O. Rolland of the Board of Administration.

On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees granted the authority requested by the staff.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees accepted Murphy Act Report No. 964 and approved two regular bids for sale of parcels of land in Jefferson and Okaloosa Counties under the provisions of Chapter 18296, Acts of 1937 - Section 192.38 Florida Statutes; also authorized execution of deeds pertaining thereto.

REFUND - Murphy Act Lands. On motion adopted without objection, the Trustees authorized issuance of $15 refunds to each of the following three firms for the reason that the Department of Transportation declined to recommend the requested releases of state road right of way reservations contained in the Murphy Act deeds listed below:

1. Dade County Murphy Act Deed No. 678,
   $15 refund to Dade-Commonwealth Title and Abstract Company
2. Orange County Murphy Act Deed No. 529,
   $15 refund to Bornstein, Petree and Gluckman
3. Osceola County Murphy Act Deed No. 624,
   $15 refund to Chelsea Title and Guaranty Company

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

4-14-70

Tallahassee, Florida
April 21, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Governor's Office in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The Trustees approved the minutes of the meeting of April 7, 1970.

COLLIER COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.

The Board of County Commissioners of Collier County by resolution adopted on March 3, 1970, established a bulkhead line 1,575.34 feet long in Collier Bay in Section 6, Township 52 South, Range 26 East, Marco Island in Collier County. All required exhibits were furnished, there were no objections at the local hearing, and the biological survey report was not adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the bulkhead line as established by Collier County.

MONROE COUNTY - Reconfirmation of Sale,
Contract Nos. 24099 and 24100(1629-44-253.12)

On September 14, 1965, the Trustees confirmed sale of two parcels of sovereignty land in the Bay of Florida adjacent to Stock Island to Bernie C. Papy, Jr., et ux, et al. Under policies effective at the time the sale was confirmed, the applicant entered into a contract to purchase which had been fully paid and grantees are now entitled to a deed.

In accordance with recommendations of the Department of Legal Affairs, reconfirmation was required due to present statutory requirement that at least five of the seven Trustees vote on the matter.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees reconfirmed the sale.

EASEMENTS FOR ROAD RIGHT OF WAY - Department of Transportation.
On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of easements for road rights of way requested by the Department of Transportation, as follows:

1. Jefferson and Madison Counties, Trustees File No. 2322-33-40-253.03, approximately 1.0 acre across the bottoms of the Aucilla River abutting Section 22, Township 1 North, Range 6 East, to be used in connection with construction of State Road 8 (I-10), Section 54001-2405. No dredging or filling planned on the sovereignty land.

2. Madison and Hamilton Counties, Trustees File No. 2323-40-24-253.03, approximately 0.36 acre across bottoms of the Withlacoochee River abutting Section 12, Township 1 South, Range 11 East, to be used in connection with construction of State Road S-141, Section 35509-2601. No dredging or filling planned on the sovereignty land.

The Department of Natural Resources had reviewed the projects and had no objections.

MONROE COUNTY - File No. 2325-44-253.02, Easement.
The Department of the Navy, Southeast Division, Naval Facilities Engineering Command, requested sewer outfall easement in the Gulf of Mexico abutting Section 20, Township 67 South, Range 26 East, Monroe County. The easement would be 20 feet wide extending 650 feet into the Gulf, to accommodate extension of a sewer outfall construction in 1949. No dredging or filling was planned in connection with the easement. The Department of Air and Water Pollution Control offered no objection to the application.

Mr. Adams raised questions and Mr. Nathaniel P. Reed, of the Air and Water Pollution Control Commission, spoke of the need to improve engineering plans and construction of such outfalls, progress being made on preparing new standards, and the fact that it was not the line but the degree of treatment that was most important. He urged the Trustees to allow the requested outfall extension.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, that the Trustees approve the sewer outfall easement subject to compliance with requirements of the Air and Water Pollution Control Commission.

DADE COUNTY - County Navigation Access Channel No. 6.
The Board of County Commissioners of Dade County submitted Resolution No. R-243-70 adopted February 25, 1970, requesting the relocation of navigation access channel No. 6 in the Biscayne National Monument area as described in Resolution No. R-280-69 that was submitted by the Board of County Commissioners and approved by the Trustees on May 13, 1969. The point of beginning of the channel was modified for the purpose of compatibility with the location of the bulkhead line to be submitted to the Trustees for consideration on May 5. There was no change in the dimensions of the proposed channel.

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the relocation of access channel No. 6 as requested by Dade County.

LEVY COUNTY - Aquaculture Lease.
International Oceanographic Corporation, represented by Barrett G. Johnson, applied for an aquaculture lease of an approximate total of 101 acres at five sites in the vicinity of Cedar Key for the purpose of cultivating oysters. A precise legal description would be prepared from surveys for which the applicant had deposited sufficient monies to defray the survey costs. In the event the Trustees

approved advertisement, a biological survey report would be requested.

Staff requested authority to advertise for bids and objections on the following basis:

1. 1½ year experimental lease with option to renew for additional 10-year periods

2. Consideration to be given to the highest annual rental offered with minimum rental being first 1½ year at $3 per acre, 1½ through 5 years at $5 per acre, 6 through 10 years at $10 per acre

3. Royalty to be determined after first 1½ year experience conforming to guidelines adopted by the Trustees

Motion for approval was made by Mr. Faircloth, seconded by Mr. Williams.

There was a brief discussion of this second aquaculture lease which differed from the shrimp raising proposal. Mr. Adams noted that the Board would be authorizing the use of the water column and Mr. Williams commented on the method of growing oysters on strings hanging from supporting racks. The Director said the staff thought that the rate to be charged was sufficient, with royalties to be assessed after 1½ years as in the mariculture lease (for shrimp farming). Mr. Conner said it could have a great economic impact for the state.

Another motion for approval was made by Mr. Christian, seconded by Mr. Dickinson, and adopted without objection.

SHELL LEASE REPORT - On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees accepted for the record the report showing the following remittances to Florida Department of Natural Resources from holders of dead shell leases:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$ 8,990.30
1708	Benton and Company, Inc.	17,633.50
2233	Bay Dredging and Construction Co.	4,913.55

COLLIER COUNTY - Land Exchange, Board of Education and Trustees. The staff presented for consideration a land exchange approved on this date by the Board of Education, whereby school Section 16, Township 49 South, Range 27 East, 640 acres in Collier County, would be exchanged for a privately owned 180 acre tract in Section 12, Township 49 South, Range 25 East, Collier County.

The school section, appraised at $160,000, was in a remote area of the county and not considered suitable for school purposes. The 180 acre tract, selected by the County Board of Public Instruction as suitable for an educational complex, was appraised at $252,500 and described as follows: the SE¼ of the NW¼; the NE¼ of the SW¼; the SW¼ of the NE¼; the NW¼ of the SE¼; the E½ of E½ of SE¼ of the SW¼; and the W½ of W½ of SW¼ of SE¼; all in Section 12, Township 49 South, Range 25 East, Collier County.

On motion by Mr. Dickinson, seconded by Mr. Williams and adopted, the Trustees approved the land exchange as approved by the Board of Education.

PASCO COUNTY - Offshore Campsite Leases.
Staff recommended approval of private campsite leases to the following nine persons who filed applications in accordance with the policy established by the Trustees on April 7, 1970. These applicants had structures offshore in Pasco County which were severely damaged by Hurricane Gladys in October of 1968, and furnished information to establish that fact. Each lease area would not exceed one acre. Annual rental of $100 would be required for each with option to renew for four additional years.

1. R. D. Stevenson, New Port Richey, Florida
2. Kendall R. Jones, Leesburg, Florida
3. Loran W. Korman, Port Richey, Florida
4. W. M. Stevenson, New Port Richey, Florida
5. Grant Staton, Groveland, Florida
6. Frank E. Brower, Treasure Island, Florida
7. Sam Y. Allgood, Jr., New Port Richey, Florida
8. William F. Grey, New Port Richey, Florida
9. Swartsel Groves, Inc., Elfers, Florida

On motion by Mr. Williams, seconded by Mr. Faircloth and Mr. Dickinson, and adopted without objection, the Trustees authorized issuance of private campsite leases to the nine applicants on the above terms and conditions.

MONROE COUNTY - Dredge Permit for Navigation Channel, File No. 253.03-160.
Rimersburg Coal Company, represented by John G. McKay, Jr., and Wilbur E. Jones, applied for permit for a perimeter navigation channel and three access channels in Kemp Channel adjacent to fractional Sections 21 and 28, Township 66 South, Range 28 East, Cudjoe Key, Monroe County. Payment of $7,500 was tendered for the 75,000 cubic yards of material expected to be excavated and placed on applicant's uplands.

Staff had conferred with applicant's representative with respect to restoring an internal embayment area, title to which was vested in the Trustees. Tentative agreement was reached that would provide navigational access, increase water circulation and engage in a development program that would enhance the biological environment of the embayment.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved the staff recommendation for approval of dredge permit conditioned upon cooperative efforts to restore the embayment lying within fractional Sections 21 and 28, Township 66 South, Range 28 East, Monroe County.

MONROE COUNTY - Dredge Permit to Improve Navigation, Section 253.03, Fill Permit, Deed No. 24123(1713-44)
Theda L. Wahlberg, represented by James T. Glass, applied for permit to dredge a navigation channel 30 ft. wide, 15 ft. deep and 170 ft. long, and to place the fill material removed from the channel on submerged land previously purchased in Section 27, Township 64 South, Range 35 East, Long Key, Monroe County.

The biological survey report was adverse. Staff recommended approval of the application, as the dredging and filling would be done on land owned by the applicant.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted

without objection, the Trustees authorized issuance of the dredge and fill permits.

CITRUS COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

W. E. Patterson and Hughes Johnson applied for permission to connect eight navigation channels to the Withlacoochee River in Sections 11 and 12, Township 21 South, Range 20 East, Citrus County. The work would be done within applicant's ownership. The biological survey report was adverse.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the permit.

LEE COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Frederick Zacharias, represented by James DeLozier, applied for permission to connect a navigation channel 60 ft. wide and 8 ft. deep to the Imperial River. The biological report was adverse, but staff recommended approval as all of Section 34, Township 47 South, Range 25 East, Lee County, was previously conveyed into private ownership and the applicant needed a permit to connect to sovereignty waters.

On motion by Mr. Dickinson, adopted without objection, the Trustees authorized issuance of the dredge permit.

COLLIER COUNTY - Dredge Permit, Section 253.123, Florida Statutes. Deed File No. 1093-11.

The City of Naples applied for permit for maintenance dredging in Gordon Pass in Township 50 South, Range 25 East, Collier County, and by resolution requested waiver of the 10¢ per cubic yard requirement for the dredge material. The spoil would be deposited landward of an established bulkhead line on submerged land purchased under Deed No. 23068 and in a mangrove area located inland that had been used previously as a spoil area.

The Bureau of Beaches and Shores had no objection to the dredging and spoiling. Staff requested waiver of biological study as provided for in Section 253.123(3)(a) Florida Statutes.

The Director said that ordinarily the Trustees waived charge to municipalities for public navigation purposes.

On motion by Mr. Conner, seconded by Mr. Williams and Mr. Dickinson, the Trustees authorized dredge permit without biological study, and waived charge for the material.

DUVAL COUNTY - Dredge Permit, Maintenance Dredging, Section 253.123.

The City of Jacksonville applied for a permit for maintenance dredging in the St. Johns River Marina, St. Johns River, Section 44, Township 2 South, Range 26 East, Duval County. The material removed would be deposited in the spoil area for the Jacksonville Harbor recently granted to the Jacksonville Port Authority. Biological survey report was not adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

DUVAL COUNTY - Dredge Permit, Maintenance Dredging, Section 253.123. Jacksonville Shipyards, Inc., requested permit for maintenance dredging in the St.Johns River in Township 2 South, Range 26 East, Duval County. The material removed would be deposited in an existing spoil area under easement to the United States Corps of Engineers. The biological survey report was not adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

SANTA ROSA COUNTY - Dredge Permit, Maintenance Dredging, Section 253.123 Florida Statutes.
Carl T. Hoffman requested permit for maintenance dredging in Hoffman Bayou, Section 5, Township 3 South, Range 30 West, Santa Rosa County. The material removed from the 50 ft. wide, 5 ft. deep and 380 ft. long channel would be placed above the mean high water line. The biological survey report was not adverse.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the permit.

BROWARD COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b)
Forty-Twenty, Inc., represented by J. W. McLaughlin, applied for a dredge permit for installing two outfall lines in Section 19, Township 49 South, Range 43 East, Atlantic Ocean in Broward County, for the purpose of disposing of rain water accumulated on the roof of adjacent building and air conditioning condensation water. The applicant tendered check for $100 as payment of the processing fee.

The biological survey report was not adverse, and the Bureau of Beaches and Shores, Department of Natural Resources, had no objection to the project.

On a motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the permit.

DADE COUNTY - Utility Permit, Section 253.03(7) Florida Statutes.
On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved the application of Florida Power and Light Company for a permit to place a telephone cable on the bottom of Indian Creek in Section 11, Township 53 South, Range 42 East, Dade County. The $100 processing fee was submitted by the applicant.

COLLIER COUNTY - State Commercial Dock Permit, Moorings, Section 253.03 Florida Statutes.
On motion made by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application of Everglades Fisheries, Inc., by Clayton Jones, Manager, for a permit for a mooring facility adjacent to applicant's upland property in the Barron River in Everglades, Florida, in Section 11, Township 53 South, Range 29 East, Collier County. Applicant submitted the $100 processing fee and appropriate exhibits.

ST. LUCIE COUNTY - State Commercial Dock Permit, Section 253.03 Florida Statutes.
Estate Capital Development Corporation, represented by Arthur F. Wood, applied for a state commercial dock permit for a facility

adjacent to applicant's upland in Faber Cove and the Indian River in Section 1, Township 35 South, Range 40 East, in St. Lucie County. The facility would be for the general use of tenants of the condominium with no fees charged. Applicant submitted the $100 processing fee and all required exhibits.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

DADE COUNTY - Rock Mining Lease.

On April 14, 1970, the Trustees deferred the awarding of bid for a rock mining lease on Hiatus Lots 4 and 5, Township 53/54 South, Range 39 East, containing 1,015.6 acres in Dade County. Bids with accompanying recreation plans submitted by Florida Stone and Materials, Inc., and Maule Industries, Inc., had been reviewed further by the staffs of the Trustees' office and the Division of Recreation and Parks. Upon completion of the mining operations the site was to be left in condition for public recreation. On this date the staff recommended the bid of Florida Stone and Materials, Inc., on the basis that while their royalty bid was only 8.6 cents per short ton, their recreation proposal was considered the best one, over all, by the Division of Recreation and Parks as the firm made a commitment to place recreation facilities and equipment presently valued at $1,486,000 on the site when they vacate.

As corrected May 12

Maule Industries, Inc., bid 12.3 cents per short ton and also submitted a more desirable recreation plan in the opinion of the Division of Recreation and Parks. Maurice A. Ferre, president of the company, made a lengthy presentation opposing the staff recommendation. He said it was not businesslike, that the bidding was not on the same basis, that Maule's bid was higher and its recreation plan would create two lakes and leave more land for camp sites. He suggested that the Board readvertise for bids and specify the recreation plan in advance. Mr. Ferre called attention to his letter (read to the Trustees on April 7) objecting to the proposal as not being in the public interest, being against private enterprise, setting a bad precedent; but his company had submitted a bid in the interest of its stockholders.

Mr. Dickinson objected to certain reports which he said had misconstrued the facts. He pointed out that this Cabinet was not responsible for the rock pits in Dade County, some of which had been there many years. Lime is a mineral to be extracted and used, the Board hears any citizen on matters under the Trustees' jurisdiction, and Mr. Dickinson said the protection of the people's land and rights takes up about half of the Cabinet's time at each weekly meeting. He thought the Legislature should provide for state-wide long-range planning in respect to state land and its best use.

T. E. Bronson, president of Florida Stone and Materials, Inc., at length discussed that firm's bid and recreation plan which he envisioned as a concept of private business joining with state government to meet public recreation requirements at no additional cost to the State of Florida. His company planned to expand its mining operations where reserves were available and had been informed that the subject land was not for sale. Under lease he thought his company would be proud to participate in providing for public recreation.

The Trustees asked a number of questions, expressing some question about the bidding as advertised. Mr. Adams noted the difference in

philosophies of the two bidders, the concern of the Board not only for the dollar productivity but even more for the recreation area to be left after the mining was completed. Mr.Adams favored the proposal of Maule Industries, Inc., for reasons which he explained.

The Director exhibited maps, recreation plans of the two bidders, and discussed staff work on the bid proposal and lease terms. The master recreation plan would be a part of the lease and had to be complied with in addition to the mining operation. All the prospective bidders had been offered the advice of the Recreation and Parks staff in developing their recreation plans, and the staff had consulted Dade County, also.

Mr. Christian made a motion that the matter be postponed for two weeks, which was seconded by Mr. Faircloth and adopted without objection.

SUBJECTS UNDER CHAPTER 18296

BROWARD COUNTY - Release Reservation.
Joseph M. Fitzgerald, on behalf of St. Elizabeth Gardens, Inc., a Florida corporation not for profit, requested waiver of the usual regulation as to size limitation for the release of the oil and mineral rights reserved in Broward County Deed No. 2631 dated August 30, 1945, for six and three-fourths acres in Section 24, Township 48 South, Range 42 East, Broward County, for the land to be used as a site for the construction of housing for elderly people with limited resources.

Under the statutory provisions, the whole area might not be considered a building site, but the staff considered that for a payment of $30 per acre or fractional acre, or a total of $210, the State of Florida would be compensated for the oil and mineral interest. The oil, gas and mineral value was determined by Dr. Robert O. Vernon of the Department of Natural Resources.

On motion by Mr. Faircloth, seconded by Mr. Dickinson and adopted without objection, the Trustees approved release of the mineral rights as requested, upon payment of $210 by the applicant.

On motion duly adopted, the meeting was adjourned.

GOVERNOR / CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

4-21-70

Tallahassee, Florida
April 28, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Governor's Office in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The Trustees approved the minutes of the meeting of April 14, 1970.

PINELLAS COUNTY - Dredging, Trustees File No. 306-52, SAJSP Permit (59-277)

On January 27, 1970, the Trustees entered into an agreement to amend an original contract between the Trustees, City of Dunedin, and Curlew Properties, Inc., predecessor to Honeymoon Isle Development Corporation and Caladesi Corporation. Amended drawings were submitted showing the modified fill areas. An amended SAJSP Permit (59-277) was received on March 13, 1970.

The Department of Natural Resources and Game and Fresh Water Fish Commission were requested to comment on the amended permit on March 16, 1970. Response from the Department of Natural Resources stated that adverse effects could still be expected from this project due to spoiling, siltation and water turbidity. The Bureau of Beaches and Shores did not object but indicated that a permit for groin installation was to be secured from that Bureau. On April 9 the Game and Fresh Water Fish Commission was again asked for comment, and to date no response has been received.

On March 17, 1970, in compliance with paragraph 14 of the original contract, the City of Dunedin was notified that the Honeymoon Island permit would be presented to the Trustees for final approval in no less than 30 days. Pinellas County Water and Navigation Control Authority was furnished a copy of the notice and has not responded.

The Air and Water Pollution Control Commission disapproved the project.

Staff recommended that the Trustees waive objection ("no protest") to issuance of SAJSP Permit (59-277) as amended, consistent with Trustees' action on January 27, 1970, when the Trustees entered into the Amendment to Contract.

Mr. Adams said the staff had worked to improve the conditions of an old contract, that according to some legal opinions the Trustees had received it was a valid contract, that after the owners had agreed to the amendment of the contract in January there was some moral obligation to "no protest" issuance of the Corps permit and the Trustees would be better off with the amendment than if by litigation the original Bartholomew plan was reinstated for the development. He recommended, however, that any "no protest" be conditioned on protective controls by the developer to safeguard water quality. The Director said the response to the Corps of Engineers might be made conditioned on proper diking, turbidity

tests, and other measures required in similar project.

Mr. Apthorp explained what had been accomplished in the contract amendment, that the staff had consulted the Department of Natural Resources, Air and Water Pollution Control Board, United States Fish and Wildlife representatives, Pinellas County, Florida Recreation and Parks Bureau representatives, Coastal Engineering Laboratory of the University of Florida. The staff had tried to incorporate as much that was recommended as the developer was willing in order to preserve the most biologically valuable portions of the site - but there would be some damage done, of course, by the dredging and filling.

Mr. Adams and Mr. Christian thought it would be better to allow the work to proceed under the amended plan than to deny approval and possibly be required by litigation to reinstate the original plan proposed by the Curlew Properties plan (Bartholomew plan), and the Director thought the amendment was the best solution that could be obtained. He would consult further with Mr. Reed as suggested.

The Corps of Engineers, having received conflicting reports from the state agencies, had asked the Trustees to state one position, and the deadline of their period of advertisement of the permit was May 13.

Mr. Nathaniel Reed said he had not been involved in negotiating the contract amendment, that the Air and Water Pollution Control Commission disapproved because of aspects of turbidity, siltation and water quality, that the trade had involved saving the great estuarine flats east of the island which should be protected against siltation. He summed up the Trustees' problem as the old contract and whether the amendment was a good compromise. He did not think further studies would produce anything different.

Governor Kirk said the Attorney General's recent opinion had taken the position of supporting the City of Dunedin. With reference to protests from the local legislative delegation, he said the Board recognized the power of the Legislature to enact laws and the local officials to act at the local level - and the Cabinet was in complete agreement with their desires. But the Governor pointed out that this was an executive decision to be made, the staff had completed a very thorough study, and he did not see how any further public hearings would accomplish anything different.

Mr. Adams also said the decision was one to be made by the Trustees, that the staff had achieved what seemed to be a reasonable settlement six months ago. Mr. Christian pointed out that the developer had made a concession in giving back 700 acres, that the Board had to make the best of the 1959 contract.

Present on this date in opposition to granting the dredge and fill permit were Representative Roger H. Wilson, Representative Ed S. Whitson, Jr., and Representative A. S. (Jim) Robinson. Representative Wilson advised that the House Conservation Committee was reviewing the project and expected to receive additional studies, that the Pinellas County delegation had asked the Corps of Engineers to hold another public hearing. He asked the Board to delay action and suggested that developers sometimes could be made aware of public feelings and pressures.

Representative Whitson also asked for delay for the House Committee to complete its review and possibly to secure additional legal counsel. He said a governmental regulatory authority, such as the Trustees, could not contract away its rights to regulate and the

Corps of Engineers in its discretion could deny the permit based on recommendations of the state regulatory authority.

Representative Robinson urged the Trustees to grant a delay, during which time the Corps might decide to hold a hearing and conclude the project was not in the public interest.

The proximity of Caladesi State Park was pointed out many times and the need to protect it from destruction of ecological values.

Mayor Gerald S. Rehm, for the City of Dunedin, said he had asked the Attorney General for an opinion on the contract in response to a letter from the Corps of Engineers enclosing the Pinellas County request for a public hearing at the county level. He pointed out the efforts of the city to work in a proper and legal way and their consulting engineers' work to preserve water quality. The city had experienced many delays and harassment. The people of Dunedin and Pinellas County wanted a public beach, he said, which the developers were to provide.

Members expressed the opinion that the facts were before them and they were ready to act - but not opposed to delay for two weeks in consideration of the request of the legislative delegation.

Mr. Conner expressed concern that the Legislature would come in on a specified project and attempt to render a decision, although the cabinet would certainly appreciate any enlightenment they could add. He also questioned expenditure of funds by the legislature as suggested for hiring additional legal counsel.

Mr. W. V. Register, president of Caladesi Corporation, said he would not object if the Board postponed action for two weeks, but that many delays and harassments had already been experienced. The Governor said he deserved to have a decision made.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees agreed to delay action for two weeks as a date certain when they would make a decision based on the recommendations of the staff.

The Director called attention to the very significant reduction in sales of submerged lands in the period from 1966 to 1969, and that the average price received for state land had increased greatly during that period of time.

LEE COUNTY - File No. 2298-36-253.12, Application Withdrawn. In accordance with the applicant's telephone call on April 23 requesting that application of Andre Cornu for a parcel of sovereignty land in Ostego Bay abutting Section 29, Township 46 South, Range 24 East, Estero Island, Lee County, be withdrawn, the staff recommended that the file be deactivated without refund as the parcel had already been advertised for sale.

The parcel had been appraised at $2,496.00 per acre or $500 for the 0.2 acre applied for which was landward of the approved bulkhead line. The biological survey report was not adverse.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees directed the staff to deactivate the file.

OSCEOLA COUNTY - File No. 2299-49-253.36, Land Sale.
For the reason that only four members were present on this date, the Trustees deferred consideration of confirmation of sale of 0.6 acre of reclaimed lake bottom land to Temple Baptist Building Association, Inc., represented by O. Preston Johnson.

MONROE COUNTY - File No. 2291-44-253.12, Defer Land Sale.
Staff requested deferment at the request of an objector, of consideration of sale of a parcel of sovereignty land in the Atlantic Ocean abutting Government Lot 1, Section 19, Township 63 South, Range 38 East, Plantation Key, applied for by Herbert J. McCauley, et ux. There were questions of upland riparian rights to be resolved.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees deferred action on the land sale.

INDIAN RIVER COUNTY - File No. 2237-31-253.129, Disclaimer.
The Oslo Packing Company of Vero Beach applied for a disclaimer to a parcel of filled sovereignty land embracing 0.073 acre in Bethel Creek abutting Section 29, Township 32 South, Range 40 East, Indian River County. The parcel was filled in 1950, all required exhibits were submitted and staff recommended disclaimer for $100 processing fee.

On motion by Mr.Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of the disclaimer.

DUVAL COUNTY - File No. 2324 - 16 - 253.03, Easement.
The Department of the Navy requested sewer outfall easement in the St. Johns River abutting Section 39, Township 3 South, Range 36 East, Duval County, extending 568 feet into the river and covering 0.26 acre parcel of sovereignty land. A dredging permit to install the line was issued September 30, 1969.

The Department of Air and Water Pollution Control offered no objection to the application.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of the easement.

BREVARD COUNTY - Temporary Borrow Easement, Section 253.03 Florida Statutes, and Dredge Permit.
The Department of Transportation requested temporary borrow easement and a dredge permit for a parcel of sovereignty land in the Indian River adjacent to Section 22, Township 26 South, Range 37 East, Brevard County, containing 3.56 acres, more or less, from which material would be used in construction of Pineda Causeway, State Road 404, Section 70004-2503. The dredge area would serve as a navigation channel upon completion of the roadway.

The Department of Natural Resources had reviewed and had no objection to the project. Staff recommended issuance of the easement and dredge permit.

Motion was made by Mr. Conner and seconded by Mr. Christian to approve the application, but the motion was withdrawn upon Mr. Adams asking a number of questions and referring to excessive siltation in the Indian River. He also suggested that the design should be

reexamined to see if a bridge rather than earthern causeway might be better. Mr. Nathanial Reed said he did not know what might be done after construction had started, but solid causeways always were problems.

On motion by Mr. Conner, adopted without objection, the Trustees deferred action to allow the Director and Mr. Reed to make further investigation. Governor Kirk asked the Department of Natural Resources to assist, also.

ESCAMBIA AND SANTA ROSA COUNTIES - Policy. The staff requested authority to request the Boards of County Commissioners of Escambia and Santa Rosa Counties to endorse a proposed policy relative to dredging, filling, pollution, and improvement of water quality in Perdido Bay, Escambia Bay and their tributaries, as follows:

> No further construction dredging shall be permitted in Perdido Bay and Escambia Bay until a plan for development of the shoreline has been established. At that time, construction dredging shall be permitted only in accordance with this plan, to be completed within one year by representatives of Baldwin County, Alabama, Escambia County, Florida, the State of Florida, the State of Alabama, U. S. Corps of Engineers and the U. S. Department of the Interior. Any necessary maintenance dredging in the interim shall be conducted by diking the spoil area and controlling runoff through a system of spillway pipes connected to vertical risers. All dredging material shall be deposited within the diked areas located on upland sites only. All existing channels requiring maintenance shall be done only with hydraulic pipeline dredging equipment.

In addition, staff requested authority to ask the said counties to initiate action toward preparing a plan controlling shoreline development compatible with objectives adopted at the Perdido Bay Conference on pollution held on January 22, 1970, at Gulf Breeze, Florida.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized the staff to proceed as requested.

SANTA ROSA COUNTY - Live Oak Naval Reservation.
The Department of the Interior, through the Bureau of Outdoor Recreation in Washington, D. C., had served notice on Governor Kirk that the Federal Government will exercise its right of reverter to the 1,700 acre Live Oak Naval Reservation located in Santa Rosa County on the basis of an alleged failure on the part of the State of Florida to use the land exclusively for public park purposes.

Staff counsel recommended that appropriate action be pursued in the proper courts by the Trustees. The Director said the claims under Spanish land grants were involved, and the staff would like to initiate a law suit including all the parties. Mr. Christian said the Attorney General might join in the case, which would be pursued by Trustees' staff counsel.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized counsel to proceed.

CHARLOTTE, LEE, COLLIER COUNTIES - Core Borings.
Mr. F. W. Wanzenberg, represented by Honorable Russell O. Morrow, applied for permission for exploratory core boring in the Gulf of Mexico, Charlotte Harbor, Pine Island Sound, San Carlos Bay and

Gullivan Bay. Samples not exceeding 500 in number will be obtained by pushing a four-inch pipe into the sediment soil, securing a core of soil not exceeding one cubic foot per sample. Samples would be taken within a ten months' period.

No sampling would be allowed in aquatic preserves. Staff recommended approval without requiring a biological study.

It was decided that as far as the Trustees were concerned, the work could proceed. As to any valid leases that might be in the subject area, the applicant would be responsible for obtaining consent if necessary.

On motion by Mr. Christian, seconded by Mr. Conner and a opted without objection, the Trustees waived the requirement for biological survey and approved issuance of permit for taking core samples.

DADE COUNTY - Dredge Permit, Section 253.123 Florida Statutes; Amendment to Permit 218; SAJSP Permit (69-59)

On January 28, 1969, the Trustees approved a dredge permit to Donarl of Florida, Inc., represented by William J. Roberts, for the removal of 4,950,000 cubic yards of material from 59.1 acres in Dumfoundling Bay in Sections 2, 3, 10 and 11, Township 52 South, Range 42 East, Dade County. The original dredge depth was minus-37.0 feet. The biological report was adverse.

Due to what might be construed as an encroachment, the applicant proposed to reduce the dredge area to 42.27 acres and dredge to minus-55.0 feet in depth. Staff recommended approval, as the amended dredge area was within the limits of the dredge area previously approved on January 28, 1969.

Answering Mr. Adams' question, the Director advised that Dade County had filed its bulkhead line which the staff would place on the agenda in two weeks.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the amended dredge permit.

FRANKLIN COUNTY - Dredge Permit to Improve Navigation, Section 253.123 F. S., File 522.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the application of Clayton Taff and Othan Porter for a dredge permit for a channel connection to provide entrance to Alligator Harbor in Section 6, Township 7 South, Range 1 West, Franklin County.

The material removed would be placed on applicants' upland, the biological report was not adverse, and except for entrance dredging all work would be within platted upland property.

NASSAU COUNTY - Dredge Permit to Improve Navigation, Section 253.123 F. S., File 474.

Interpace Corporation, represented by Harold A. Scott, requested permission to connect a 100 ft. wide navigation channel to Kingsley Creek (Intracoastal Waterway) in Section 46, Township 2 North, Range 28 East, Nassau County. The application was deferred by the Board on March 17, 1970.

The biological report was adverse to spoiling on marsh lands within

the applicant's ownership, even after the applicant amended the area and eliminated about 30 acres of its ownership.

The Director explained that the Trustees' authority was limited to the connection to be dredged into the Intracoastal Waterway from the private land. Mr. Adams noted that the work involved private land, but it was another step in damaging the biological values in the marshes.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees authorized issuance of the dredge permit to provide a connection from the applicant's channel into the Intracoastal Waterway.

SANTA ROSA COUNTY - Dredge Permit, to Improve Upland, Section 253.123 Florida Statutes.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved application of Robert A. Duncan for removal of 173 cubic yards of material from Pensacola Bay in Section 7, Township 3 South, Range 29 West, Santa Rosa County, to deposit on his upland property. Applicant tendered check for $50 as minimum payment. The biological report was not adverse.

ST. LUCIE COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

General Development Corporation applied for permission to connect fifteen navigation channels to North Fork St. Lucie River, Sections 20, 21, 22, 27, 28, 33, 34, 35 in Township 36 South, Range 40 East, and Sections 2, 3, 10, 11, 14, 15, 22, 23, 24, 26, 27 in Township 37 South, Range 40 East, St.Lucie County.

When the application was filed the biological report was adverse, noting that some work already done had caused adverse effects. Damage had been rectified, the application amended, and the biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of a dredge permit subject to the following stipulations recommended by the staff:

1. All inland dredging must be completed prior to connection of canals to river.
2. Canals that have already been connected must be plugged until inland dredging is completed.
3. Applicant must work with Department of Natural Resources concerning planting and preservation of mangroves.

VOLUSIA COUNTY - Dredge Permit, Maintenance Dredging, Section 253.123, File 523.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application from the Department of Natural Resources, Division of Recreation and Parks, for maintenance dredging in an existing boat basin at Tomoka State Park, Tomoka River in Section 29, Township 13 South, Range 32 East, Volusia County. Spoil material would be placed above the mean high water line and the biological report was not adverse.

DADE COUNTY - Utility Permit, Section 253.03(7)

On motion by Mr. Adams, seconded by Mr. Christian and adopted, the

Trustees approved the application from Florida Power and Light Company for permission to lay a power cable on the bottom of Indian Creek in Section 3, Township 53 South, Range 40 East, Dade County, for which applicant had tendered the required fee of $100.

PALM BEACH COUNTY - Dredge Permits, Section 253.123(2)(b) F. S. Teleprompter of Florida Cable T. V. made application for three permits to dredge to install submarine cables in the Intracoastal Waterway at the following locations: (1) at Southern Boulevard Bridge in Section 3, Township 43 South, Range 43 East; (2) at Royal Palm Bridge in Section 22, Township 43 South, Range 43 East; and (3) at Flagler Memorial Bridge in Section 22, Township 42 South, Range 43 East, all in Palm Beach County.

The biological reports were not adverse. Applicant tendered $100 processing fee for each permit.

On motion by Mr. Conner, seconded by Mr. Christian and adopted, the Trustees authorized issuance of three dredge permits to the applicant.

ESCAMBIA COUNTY - Marina License, Section 253.03 Florida Statutes. Staff recommended issuance of a marina license to Quadricentennial, Inc., in care of Soule Construction Company of Pensacola, Florida, for a marina facility 1.78 acres in size on Santa Rosa Island in Township 3 South, Range 29 West, Escambia County.

The license, to be issued upon receipt of the required annual fee of $1,548.40, would provide for installation of docks, slips and dredging to improve navigation, with all dredged material to be placed on upland property. License would not be granted until satisfactory method of waste disposal had been incorporated into the facility.

The biological survey report was not adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of a marina license subject to all requirements.

ESCAMBIA AND SANTA ROSA COUNTIES - Advertise Oil and Gas Lease. The Louisiana Land and Exploration Company requested the Trustees to offer for an oil and gas drilling lease those portions of the Escambia River including Tributaries owned by the Trustees in Sections 29, 30, 32, 33, 34, Township 6 North, Range 29 West; Sections 25, 36, 37, Township 6 North, Range 30 West; Section 7, Township 5 North, Range 29 West; and Sections 1, 2, 3, 11, 38, 39, 40, Township 5 North, Range 30 West; all lying in Escambia and Santa Rosa Counties and estimated to contain 205 acres, more or less.

The State Geologist approved the offering for lease with special terms, as follows: The company agrees to a provision to be put in the state lease form to the effect that drilling operations will not be conducted in the river or its tributaries. Directional offset wells would be required under the river, in the event production was obtained on adjoining land. All wells would be drilled to 6,000 feet or to the sediments of the Jurassic Age or sediments equivalent to those producing in the Humble-Wessner No. 1 Well in Escambia County, Alabama.

On motion by Mr. Christian, seconded by Mr. Adams and adopted

without objection, the Trustees authorized the land advertised for sealed bids for a five-year lease at annual rental of $1 per acre, one-eighth royalty, pursuant to law.

HENDRY COUNTY - Advertise Oil and Gas Lease.
Sun Oil Company requested the Trustees to advertise for sealed bids for an oil and gas drilling lease of the reserved one-half interest of the Trustees in all of Section 27, N½ and SE¼ of Section 33, and W½ of Section 35, Township 47 South, Range 32 East, Hendry County, containing 1,440 surface acres or 720 net mineral acres.

Staff recommended advertising the reserved interest in the said land for sealed bids for a five-year primary term lease with annual rental of $1 per net mineral acre, one-eighth royalty, and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is deeper, as recommended by the State Geologist.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized the land advertised for sealed bids as recommended by the staff, pursuant to law.

HENDRY COUNTY - Advertise Oil and Gas Lease.
Craig Castle of Jackson, Mississippi, applied for an oil and gas drilling lease covering the reserved one-half interest of the Board in privately-owned land described as the E½ of Section 11, W½ and NE¼ of Section 23, in Township 46 South, Range 32 East, containing 800 surface acres or 400 net mineral acres.

Staff recommended advertising the reserved interest in the said land for sealed bids for a five-year primary term lease with annual rental of $1 per net mineral acre, one-eighth royalty, and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is deeper, as recommended by the State Geologist.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized the land advertised for sealed bids as recommended by the staff, pursuant to law.

HENDRY COUNTY - Trustees and State Board of Education, Advertise Oil and Gas Lease.
Craig Castle of Jackson, Mississippi, requested the Board to offer for sale an oil and gas drilling lease covering the reserved one-half interest of the Board of Education in Section 16, Township 46 South, Range 33 East, Hendry County, containing 640 acres or 320 net mineral acres. The land was in private ownership.

Staff recommended that the Trustees, pursuant to Section 4, Chapter 69-369, Laws of Florida (Section 253.52 Florida Statutes), advertise for sealed bids for a five-year primary term lease with annual rental of $1 per net mineral acre, one-eighth royalty and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the Lower Cretaceous, whichever is deeper, as recommended by the State Geologist. The bond required by law will be in the amount of $50,000.

In accordance with approval by the Board of Education on this date, the Trustees authorized advertisement for oil and gas lease, pursuant to law.

COLLIER COUNTY - Trustees and State Board of Education, Advertise Oil and Gas Lease.
Phillips Petroleum Company requested the Trustees to offer for sale an oil and gas drilling lease of all of Section 16, Township 49 South, Range 31 East, Collier County, containing 640 acres.

The staff recommended that the Trustees, pursuant to Section 4, Chapter 69-369, Laws of Florida (Section 253.52 Florida Statutes), advertise for sealed bids for a five-year primary term lease with annual rental of $1 per acre, one-eighth royalty and requirement that at least one test well be drilled every 2½ years of the lease, each test well to be drilled to a depth of 6,000 feet or to the top of the Lower Cretaceous, whichever is deeper, as recommended by the State Geologist. The bond required by law will be in the amount of $50,000.

In accordance with approval by the Board of Education on this date, the Trustees authorized advertisement for oil and gas lease, pursuant to law.

Mr. James T. Williams of the Trustees' office, Division of Land Records, stated that the staff had completed a review of all leases after changes in the law by the 1969 Legislature, and a lease form had been prepared which was considered to offer greater protection.

DADE COUNTY - Rock Mining Lease and Recreation Plans.
Last week the Trustees deferred for two weeks any action on two bids received from Maule Industries, Inc., and Florida Stone and Materials, Inc., for rock mining lease of Dade County land.

Mr. Adams brought the matter up, stating that as a result of the discussions last week several things had become apparent. He referred to the letter from Governor Kirk to the members following the meeting and said he agreed that the best thing to do would be to reject both bids and direct the staff of the Division of Recreation and Parks to prepare a recreation layout to remain after completion of the mining operation. Mr. Adams also would recommend a high annual minimum rent in the lease.

The Director pointed out that it might be better to delay action until the bidders had been notified, but that he could contact the recreation and parks staff. Mr. Adams said the Board could instruct him to have the matter on the agenda next week on that basis, and Mr. Christian was in agreement.

There being no objection, it was so ordered.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

4-28-70

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
May 5, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Governor's office in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller (Present part time)
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education

James W. Apthorp — Executive Director

The Trustees approved minutes of the meeting on April 21, 1970.

DADE COUNTY - Bulkhead lines along the westerly shore of Biscayne Bay from Coral Gables south to the Dade-Monroe County line at U. S. Highway No. 1 in unincorporated Dade County, shown on an advance agenda as scheduled for consideration May 5, were rescheduled for May 12 at the request of Dade County Commission.

Mr. Adams commented on the location of the bulkhead lines and that he understood there were some who wanted the line moved further landward. The Director said the members would receive the staff recommendations in a few days.

MONROE COUNTY - File No. 2083-44-253.12, Land Sale Deferred. The Trustees deferred action at the request of Mr. Conner on an application for sovereignty land in the Atlantic Ocean abutting Section 21, Township 60 South, Range 40 East, Key Largo, applied for by Howard M. Post.

MONROE COUNTY - File No. 2294-44-253.12, Land Sale.
On March 24, 1970, the Trustees authorized advertisement of a parcel of sovereignty land in the Straits of Florida abutting Section 18, Township 63 South, Range 38 East, 1.3 acres at Plantation Key in Monroe County. Dr. Herbert S. Zim offered the appraised value, $2,150.00 for the parcel, in order to obtain title to improvements within the parcel that was developed as a boat basin in 1954 by a prior owner, and also to reconstruct breakwaters to protect the existing boat basin. The proposed sale was advertised in the Key West Citizen and one objection received.

The biological report was adverse, stating that most of the area was a breakwater and boat basin and served as habitat for spiny

lobsters, and should not be sold for potential filling. Applicant did not intend to fill and had reduced the area applied for from 4 to 1.3 acres.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees overruled the objection and confirmed sale of the advertised parcel to the abutting upland owner at the appraised value, subject to the applicant paying cost of the appraisal.

OSCEOLA COUNTY - File No. 2299-49-253.36, Land Sale.
On March 10, 1969, the Trustees authorized advertisement and on April 14 deferred action on the application from Temple Baptist Building Association, Inc., for purchase of a parcel of reclaimed bottom land in East Lake Tohopekaliga abutting Section 19, Township 25 South, Range 31 East, Osceola County, containing 0.6 acre appraised at $1,000 for the parcel. Staff appraiser had confirmed the valuation after reexamination of appraisal. Applicant desired to acquire the land between upland ownership and the established elevation of 59.0 feet mean sea level.

Notice of sale was published in the St. Cloud News, proof of publication filed in the Trustees' office. The Trustees deferred consideration on April 28 because only four members were present.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees confirmed sale of the advertised parcel at the appraised price.

GLADES COUNTY - File Nos. 2301 and 2302-22-253.36, Deferred.
At the request of the Central and Southern Florida Flood Control District, the Trustees deferred action for thirty days on applications from J. R.Click for 4.39 acres and S. D. Dewell for 1.77 acres of reclaimed Lake Okeechobee bottom lands lying between the 17 ft. contour line and the right of way line of Levee L-50 in unsurveyed Section 24, Township 40 South, Range 32 East, Glades County. On March 31 the Trustees had authorized advertisement for objections only. Notice was published in the Glades County Democrat, copies filed in the Trustees' office, scheduling consideration of sale for May 5, 1970.

INDIAN RIVER COUNTY - File No. 2237-31-253.129, Disclaimer.
On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees reconfirmed action last week by four members authorizing issuance for $100 processing fee of a disclaimer to the Oslo Packing Company of Vero Beach covering a 0.073 acre parcel of sovereignty land filled in 1950 in Bethel Creek abutting Section 29, Township 32 South, Range 40 East, in Indian River County.

DUVAL COUNTY - File No. 2324-16-253.03, Easement.
Staff requested reconfirmation of action by four members of the Trustees last week on the application of the Department of the Navy, Southeast Division, Naval Facilities Engineering Command, for sewer outfall easement in the St. Johns River abutting Section 39, Township 3 South, Range 36 East, Duval County, to extend 568 feet into the river and cover 0.26 acre parcel of sovereignty land.

A dredging permit to install the line had been issued September 30, 1969. The Department of Air and Water Pollution Control offered

no objection.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees reconfirmed approval of the easement.

BREVARD COUNTY - Temporary Borrow Easement and Dredge Permit. The Department of Transportation requested temporary borrow easement and dredge permit for a parcel of sovereignty land in the Banana River adjacent to Section 22, Township 26 South, Range 36 East, 3.56 acres, more or less, in Brevard County. The dredged material would be used in construction of Pineda Causeway, State Road 404, and the dredged area would serve as a navigation channel. Dredging permit was to be issued to Gregg, Gibson and Gregg, Inc., contractors on the job.

On April 28 the application was deferred for the Director and Mr. Nathaniel Reed to investigate damage to the ecology. The biological report indicated that less damage might be done in this area than if the dredging was to the north of the area, but it was recognized that siltation was a serious problem.

The Director had conferred with Mr. Reed who had called a meeting attended by Mr. Edward A. Mueller, Secretary of the Department of Transportation, and his District Engineer. Pineda Causeway construction, affecting both the Indian and Banana Rivers, had been stopped by the Air and Water Pollution Control Commission. However, work was allowed to continue provided all the dredging was done within approved water quality standards to prevent excessive siltation damage.

Mr. Apthorp said the broader question was that it was virtually impossible to build causeways without resulting damage; however, in some instances causeways have value as recreation areas. Culverts and bridges could alleviate damage but are much more expensive to build. The Department of Transportation will give careful consideration to the question of causeway building.

Mr. Reed discussed the situation in the Indian River, the close cooperation and work of the Brevard County Engineering Department and the local environmental group. The causeway construction would continue, making the best of an awkward situation, but the Department of Transportation would study the problem of causeways. There had been some modification of plans and possibly wider openings could be provided for water flow.

Mrs. Lori Wilson, County Commissioner of Brevard County, spoke of the trial and error methods of dredging, the pollution caused in the Indian River, the need to have a soil expert on projects to determine the best dredging areas, and the problem of coordinating the many agencies involved in such projects. She suggested one person be authorized to coordinate the investigations and urged the Trustees to designate Pineda causeway a pilot project for research, the expense of which might save millions on other projects.

Mr. Dickinson favored the suggestion, proposing Mr. Reed as coordinator. Mr. Faircloth reminded the Board of his environmental safeguard resolution and suggested expanding the powers and responsibilities of Mr. Reed's department, requiring the Department of Transportation to check with them first, and requiring all public and private agencies to furnish project designs for study.

Legislation along those lines was being considered, and a bond issue to help fight pollution. Mr. Adams emphasized the importance of structure design and suggested that the staff draft a resolution

to be considered next week whereunder the Trustees would refuse to approve rights of way or dredge and fill permits until proper designs and antipollution measures were available.

Governor Kirk, with the approval of the members of the Board, named Mr. Reed to coordinate a study of the effects of dredging and filling on the ecology.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees granted the request of the Department of Transportation for a temporary borrow easement and a dredge permit in the Banana River adjacent to Section 22, Township 26 South, Range 36 East, Brevard County.

BREVARD COUNTY - Temporary Borrow Easement, Section 253.03 F. S. The Department of Transportation requested temporary borrow area embracing 28.04 acres in the Banana River adjacent to Sections 8 and 17, Township 24 South, Range 37 East, in the approximate channel of the river, to obtain borrow material for expansion of the existing causeways for State Road 528, Bennett Causeway. The discussion in preceding paragraphs also involved this application.

The Department of Natural Resources recommended against dredging or filling until assurances could be obtained that adequate safeguards can be maintained to prevent despoilation of the river.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees granted this request of the Department of Transportation.

BREVARD COUNTY - Dredge Permit, Section 253.123, Florida Statutes. Houdaille-Duval-Wright Company applied for permission to dredge a 200 ft. wide (top width), 30 ft. deep, 5,500 ft. long channel for borrow material in the Banana River in Township 24 South, Range 37 East, Brevard County.

The biological report was not adverse, but the discussion in preceding paragraphs also involved this application for dredging in the Banana River. The staff recommended certain conditions controlling the proposed dredging.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the dredge permit for material to be used for work on Bennett Causeway, State Road 528, subject to the following conditions:

1. All submerged lands to be filled must be diked prior to any filling and dikes must be maintained during filling to prevent silt from returning to the river.
2. Constant surveillance over dredging and filling operations by the Department of Transportation to prevent despoilation of the river.

DUVAL COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Jacksonville Shipyards applied for permission for maintenance dredging at Texaco Terminal and Commodores Point Terminal in Township 2 South, Range 27 East, St. Johns River, Duval County. The material removed would be placed in an existing spoil area, and the biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized permit for the maintenance dredging.

MANATEE COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Manatee County Highway Department applied for permission for maintenance dredging to improve drainage and navigation. Channel dimensions would be 6 ft. by 50 ft. by 1,540 ft., and 6 ft. by 50 ft. by 1,600 ft., in Terra Ceia Bay, Section 25, Township 33 South, Range 17 East, Manatee County.

The material removed would be placed on upland property with the permission of upland owners. The biological survey report was not adverse.

Staff recommended approval subject to dikes being constructed to contain the spoil.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the dredge permit subject to dike construction as recommended by the staff.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Lydia Yachts, Inc., applied for permission to improve navigation by dredging an area 80 ft. wide, 150 ft. long and 6 ft. deep in the St. Lucie River in Section 32, Township 37 South, Range 41 East, Martin County. The material would be placed on applicant's upland. $130 was tendered as payment for 1,300 cubic yards of overdredge material. The biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the dredge permit.

MARTIN COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Stuart Land Development, Inc., applied for permission to dredge a navigation channel 50 ft. wide (top cut), 5 ft. deep and 600 ft. long in the Indian River in Section 30, Township 37 South, Range 42 East, Martin County, within an aquatic preserve. Applicant tendered check for $210 for 2,100 cubic yards of material would would be placed on upland property.

The biological survey report was adverse and recommended relocation of the channel. In accordance with the recommendations, the channel had been relocated and staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the dredge permit to improve navigation.

MARTIN COUNTY - Dredge Permit, Beach Nourishment, Section 253.123 Florida Statutes.
On January 20, 1970, the Trustees approved application of the Town of Jupiter Island to remove 75,000 cubic yards of material from Pecks Lake for beach nourishment on the ocean side of Jupiter Island. Applicant requested amendment of the permit to allow removal of 300,000 cubic yards of material for beach nourishment.

The biological report was not adverse. The area was within an aquatic preserve, but when the preserve was established this dredge area for beach nourishment was mentioned. The Department of Natural Resources took concurrent action on this date approving the application.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved amendment of the permit.

PINELLAS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Pinellas County Water and Navigation Control Authority issued a dredge and fill permit, subject to Trustees' approval, to Robert E. Lee and Company for work in Section 34, Township 30 South, Range 17 East, and Section 3, Township 31 South, Range 17 East, Tampa Bay, Pinellas County, for the removal of 18,000 cubic yards of material, 5,000 of which was outside applicant's ownership. No payment was required as the material to be removed sloughed off from previously filled area. The biological report was not adverse and staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the permit for maintenance dredging.

ST. JOHNS COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Loren A. Brown applied for permission to improve navigation by removing 100 cubic yards of mud and silt adjacent to his property in the Matanzas Bay in Davis Shores Subdivision, St. Augustine, Florida, in Township 7 South, Range 30 East, St. Johns County. The material would be hauled away, the biological report was not adverse, but one objection had been filed. Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized permit for the dredging to improve navigation.

ST. JOHNS COUNTY - State Dock Permit, Section 253.03 Florida Statutes. Loren A. Brown applied for a state commercial dock permit for a structure in Matanzas Bay adjacent to his upland property in Davis Shores Subdivision in St. Augustine, Florida, in Township 7 South, Range 30 East, St. Johns County. All required exhibits, including $100 processing fee, were filed and staff recommended approval. One objection was received.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the dock permit.

ST. JOHNS COUNTY - Dredge Permit, Utility Installation. Section 253.123(2)(b), File 532.
On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved application from Florida Power and Light Company for a permit to dredge to install a submarine power cable in Matanzas River in Sections 34 and 35, Township 8 South, Range 30 East, St. Johns County. The $100 processing fee was paid and the biological report was not adverse.

VOLUSIA COUNTY - Dredge Permit, Utility Installation.
Section 253.123(2)(b), File 533.

On motion by Mr. Christian, seconded by Mr. Williams and adopted without objection, the Trustees approved application from Florida Power and Light Company for permit to dredge to install a submarine power cable in the Halifax River in Township 32 South, Range 14 East, Volusia County. The $100 fee was paid, and biological report was not adverse.

DADE COUNTY - Rock Mining Lease.

On April 21, the Trustees deferred action for two weeks on two bids received for a rock mining lease on Hiatus Lots 4 and 5, Township 53/54 South, Range 39 East, Dade County. On April 28 the matter was discussed briefly.

Staff recommended that the bids received from Florida Stone and Materials, Inc., and Maule Industries, Inc., be rejected and that the 1,015.6 acre tract be readvertised for bids, utilizing a recreation plan developed by the Division of Recreation and Parks, Department of Natural Resources. All bidders would be bidding on the same recreation plan and specifications, and the high bid could be determined on the highest royalty per ton of mined rock.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees rejected the bids from Florida Stone and Materials, Inc., and Maule Industries, Inc., and authorized readvertising as recommended by the staff.

The Director advised that Dade County had road plans which might involve extension of roads in the area. He would try to obtain further information.

CAPITOL CENTER PROPERTY. Staff requested authority to enter into an agreement with the Department of General Services for the distribution of rentals to be collected from tenants in the Executive Office Building. The agreement was approved on this date by the Department of General Services.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the request.

On motion duly adopted, the meeting was adjourned.

GOVERNOR — CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

5-5-70

Tallahassee, Florida
May 12,1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the Larson Building auditorium with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The minutes of April 28 were approved as submitted.

Without objection the Board authorized correction of the minutes of April 21 as requested by Mr. Adams, by adding the underlined words shown below in the Dade County rock mining lease minutes:

> "made a commitment to place recreation facilities and equipment presently valued at $1,486,000.00 on the site" and "Maule Industries, Inc., bid 12.3 cents per short ton and submitted a more desirable recreation plan"

PINELLAS COUNTY - Dredging, Trustees File No. 306-52, SAJSP Permit (59-277)

On April 28 the Trustees deferred action for two weeks on consideration of the U. S. Corps of Engineers SAJSP Permit (59-277) as amended and received by the Trustees on March 13, 1970, with reference to the dredging and filling of Honeymoon Island desired by the City of Dunedin, Honeymoon Island Development Corporation and Caladesi Corporation, under the contract amendment approved by the Trustees on January 27,1970. The question before the Board was whether to send a letter of protest or no protest to the Corps of Engineers, and the staff two weeks ago had recommended no protest. The Director said he would renew the staff recommendation; however, a communication from the Attorney General indicated another option for the Board.

Mr.Adams mentioned the problem of the old contract and how the staff last December and January, based on the best advice that was available, undertook a diligent effort to work out a major adjustment in the development plan. The Trustees had approved the staff's effort in January, and now the Corps of Engineers permit notice had come to the Board for protest or no protest of the amended dredging and filling permit.

Mr. Faircloth said he thought the fact that the matter had come before the Trustees indicated they had some option, regardless of the validity of the contract.

Mr. Faircloth made a motion that the Trustees protest issuance of the permit. Governor Kirk said he would like to second the motion but since he was chairman, the motion was seconded by Mr. Williams.

Representative Ed S. Whitson, Jr., as vice chairman of the Florida House of Representatives Committee on Conservation, submitted a

resolution stating that the Trustees have no obligation to "no protest." He also submitted a copy of an Interim Report of Special Counsel to Florida House of Representatives Committee on Conservation on the proposed dredging and filling of submerged lands adjacent to Honeymoon Island, Pinellas County. Both documents were very adverse toward the project.

Senator Harold Wilson delivered a great number of letters of protest from people in Pinellas County. He said there should be no more major dredging in that area, that steps should be taken to reacquire this property possibly through new legislation, and he assured Mr. Adams that he would oppose any legislation that would take land acquisition trust funds and place them in general revenue.

Representative Roger H. Wilson delivered many protest letters and called attention to about twenty persons present from Pinellas County to oppose the dredging and filling. He pointed out that serious adverse effects would occur, and that in his opinion the people of Florida got the short end of this contract.

Representative William H. Fleece and Representative A. S. Robinson also expressed concern and requested the Trustees to properly exercise their right as the sovereign in favor of the people of Pinellas County and of Florida.

Representative A. H. Craig, chairman of the House of Representatives Conservation Committee, asked the Board to request the Corps of Engineers not to issue the permit and introduced that committee's special counsel, Attorney Richard E. Nelson. Mr. Nelson reviewed the committee's work, research and report on the proposed dredging and filling, stating that it was found that the Trustees had no obligation to approve the project which should be reviewed in accordance with its merits and in view of changes in the law and spirit of the legislature since 1959 when the project was conceived, and in view of the concern of the people. He added that if a matter of equity was involved, it would be for the court to decide.

Mr. Charles S. Baird, City Attorney of Dunedin, Florida, spoke of the work of the Trustees' staff on the amended agreement between the developer, Trustees, and city, which amendment the Trustees had approved on January 27. He thought it was fair and reasonable balancing of the equities and did not think any further adjustments of the plan would be acceptable to conservationists. It had been suggested that perhaps the state could condemn the entire island and pay the developer for his investment, if the permit was not issued. However, he said the city thought the contract modification was good as it gave greater consideration to conservation, decreased the filling, and considered certain property rights. He asked the Trustees to send a letter of no protest to the Corps of Engineers.

Governor Kirk commented on the causeway already in place and the hope that it would do no more harm than the Key Biscayne causeway. Mr. Reed said that Key Biscayne was larger and did not involve submerged land.

On the motion made by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized a letter of protest on SAJSP Permit (59-277) to be sent to the U. S. Army Corps of Engineers.

DADE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.

The Board of County Commissioners of Dade County by Resolution No. R-203-70 adopted on February 18, 1970, relocated and established bulkhead lines along the westerly shore of Biscayne Bay from Coral Gables south to the Dade-Monroe County line at U. S. Highway No. 1, in the unincorporated area of Dade County. Transcript of the special public hearing in Miami on February 18 showed that some in attendance opposed the line and others favored relocating the existing bulkhead line shoreward.

Bulkhead lines for this portion of the Dade County shore line were on the agenda of February 18, 1969, and were referred back to the county for modification in line with conferences and recommendations of the Director. The county then set bulkhead lines, leaving three mangrove areas without a line, which on recommendation of the staff were sent back to the county for lines to be established at those three points. That had now been done and the proposed revision was on the advance agenda on April 21, 1970.

The Department of Natural Resources reported that irreparable damage would occur if the line was not set at the mean high water line, and dredging and filling limited to areas shoreward of that line.

The staff recommended approval of Sheets 2 and 4 and denial of Sheets 3, 5, 6 and 7 in Part Six of Revised Plat of Metro Dade County Bulkhead line.

The staff recommended approval of Sheet 8 , part of Sheet 9 (from the east line W½ Section 22-58-40 running northeasterly therefrom), Sheets 10 and 11, and conditional approval (denying any requsts for perimeter navigational channels bayward of bulkhead line) of Sheets 2 through 7 inclusive and remainder of Sheet 9, all as shown in Part Five of Revised Plat of Metro Dade County Bulkhead Line.

The staff recommended approval of Sheets 2 through 4 inclusive, and Sheet 6, conditional approval of Sheet 5 (denying any requests for perimeter navigational channels bayward of bulkhead line), all as shown on Part Three of Revised Plat of a Portion of Metro Dade County Bulkhead Line.

The various lines were shown on a map and were discussed with the following colors: in green: Sheets 2 and 4 of Part Six; Sheet 8, part of Sheet 9 (as described above), and Sheets 10 and 11 all of Part Five; and Sheets 2 through 4 inclusive and Sheet 6 all as shown on Part Three; in red: Sheets 3, 5, 6 and 7 of Part Six; in brown: Sheets 2 through 7 inclusive and remainder of Sheet 9 (as described above) as shown in Part Five; and Sheet 5 as shown in Part Three of Revised Plat of a Portion of Metro Dade County Bulkhead Line.

The Director said the existing line generally followed the three-foot contour varying in distance offshore, that sales had been made out to that line established in 1958, that no one but the Trustees was faced with the question of property ownership. He mentioned a letter from the Regional Director of the Department of Interior stating the position that the line should be at the mean high water but that they didn't know where that was. Neither can the staff locate the mean high water line specifically, he added.

The Director recommended that the Board make no commitment at this time on channels except in the green area and that those should be limited to 100 ft. wide and 8 ft. deep. He recommended approval of the bulkhead line in the brown area with no commitment as to

channels - not precluding application for a channel later on as Mr. Adams pointed out. He recommended rejection of the southern stretch of the line shown in red on the map because of embayments and open water areas.

Motion was made by Mr. Faircloth, seconded by Mr. Williams, that the staff recommendation be approved.

Mr. R. Hardy Matheson and Mr. Earl M. Starnes, Dade County Commissioners, and local property owners were present. They had just learned of the staff recommendation. Mr. Matheson could not commit other members of his board but did not object greatly to rejection of the red line, accepted the recommendation on the green line, but as to the brown line he urged that the channel also be approved to provide a longitudinal channel to get from the east-west access channels from Biscayne National Monument area. He said the county needed the longitudinal channel for navigation and to provide guideline and plat control for developers.

The Governor and Mr. Reed called attention to the county responsibility with respect to problems and requirements for sewage, water quality, roads, turbidity, in view of expected development by private owners. Mr. Matheson said developers were aware of such things and the county was working on them. He indicated that having no perimeter navigation channels would preclude development in the area and more ecological damage might be done if every developer wanted his own channel.

On behalf of some private owners, Mr. William J. Roberts, attorney, said development of property purchased in the period from 1925 to 1929 would be restricted by moving the bulkhead line shoreward, but that a good many of the owners were generally agreeable to the Dade County recommendations with the vital perimeter channel. He said some owners might dedicate submerged land back to the state. Mr. Adams commended the possible reacquisition by the state at no cost. Mr. Roberts added that some developers have had plans in progress about two years and would like to see the Trustees approve the bulkhead line.

Mr. Lester Freeman of the Greater Miami Chamber of Commerce supported the Public Works Department of Dade County in its request for the longitudinal channel.

Mr. Tod Swalm, of Homestead-South Dade Chamber of Commerce, favored the action of Dade County after the meeting of January 8, 1969, setting the bulkhead line in South Biscayne Bay at the shore or mangrove line as being in the public interest. He felt that the ecology was protected by establishment of Biscayne National Monument and the saving of the three mangrove points, that the mean high water line was not a practical delineation, and that now provision should be made for the people living along the shoreline.

Mr. Jack Brown, resident on the South Biscayne Bay shore, opposed preservation of all red mangrove areas as it would stop all development and continue the mosquito and sandfly problem.

Mr. J. F. Redford, representing the Dade County Chapter of Izaak Walton League, opposed the line as proposed by Dade County and as recommended by the staff, opposed the coastal channels unless placed back of a mangrove fringe, and urged preservation of the mangroves and the Bay which he said could be done along with planned private development. He pointed out objections of federal agencies.

Mr. Ted Baker, representing several individuals and environmental groups, read from the Randell Act with reference to setting bulkhead lines, opposed bad development destruction of the environment, and the proposals being considered today which he said would allow destruction of mangroves.

Mr. Joe Carroll, with the Bureau of Sport Fisheries and Wildlife, said that federal agency had consistently appeared at Dade County hearings and recommended the bulkhead line at the mean high water line and maintained that position today.

Governor Kirk suggested a joint meeting of all the federal and state agencies to confirm their joint agreement before the bulkhead line is accomplished. Mr. Matheson assured him that all the federal agencies are aware of the situation, were represented at the public hearings, and had notice of the meeting today.

Secretary of State Adams commented that while the recommended line was not at the mean high water line, in defense of the efforts of the staff and the motion of the Attorney General he would like to point out what the Trustees had done to have the bulkhead line moved shoreward to preserve the mangroves and the ecology of South Biscayne Bay. Mr. Adams recognized the board's responsibility to be reasonable in trying to determine some compromise bulkhead line and said he supported the Attorney General's motion to approve the staff recommendation.

Treasurer Broward Williams suggested amending the motion to exclude the channel issue and approve only the bulkhead lines in green and brown and reject the line in red. Mr. Faircloth accepted that as an amendment to his motion which was adopted by the Trustees without objection.

The three following applications were considered out of agenda order so that Mr. Conner, who had to attend a legislative hearing, could be present to vote on matters requiring five members.

MONROE COUNTY - File No. 2083-44-253.12, Land Sale.
The application from James T. Glass on behalf of Howard M. Post to purchase 1.61 acres of sovereignty land in the Atlantic Ocean abutting Section 21, Township 60 South, Range 40 East, at Key Largo in Monroe County, was considered by the Trustees on March 24, advertised for objections with proof of publication filed in the Trustees' office, and on the advertised sale date was deferred at the request of a member.

The biological survey report was adverse when the application for 5.73 acres was on the agenda of May 7, 1968, and action was deferred for additional information. Size of the parcel sought was reduced to 1.61 acres, no objection was received to the advertised notice of sale, and staff recommended confirmation of sale at the appraised value, $465.00 per acre or $750.00 for the parcel, with the applicant to pay the cost of the appraisal.

On motion by Mr. Conner, seconded by Mr. Faircloth and adopted without objection, the Trustees accepted the staff recommendation for sale of the advertised parcel at the appraised value plus the cost of the appraisal.

MONROE COUNTY - File No. 2291-44-253.12, Land Sale.
The application from James T. Glass on behalf of Herbert J. McCauley and wife to purchase 0.72 acre parcel of sovereignty land in Hawk Channel abutting Government Lot 1, Section 19, Township 63 South, Range 38 East, Plantation Key, Monroe County, was considered by the Trustees on March 10, 1970, advertised for objections only in the Key West Citizen with proof of publication filed, and on the advertised sale date was deferred for resolving a question of upland riparian rights. The objection has now been withdrawn.

The biological survey report was adverse to sale of the parcel applied for, and applicant reduced the area sought from 1.78 to 0.72 acre. He did not own sufficient upland on which to construct a boat basin complying with zoning regulations.

Staff recommended confirmation of sale of the 0.72 acre parcel at the appraised value of $1,254.00 per acre or $900.00 for the parcel, with the applicant to pay the appraisal cost.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees confirmed sale of the advertised parcel at the appraised value plus the cost of the appraisal.

BROWARD COUNTY - Board of Education Land Transfer.
The Board of Regents approved transfer of title of a one-acre tract of land to the Board of County Commissioners of Broward County for the site of an agricultural building. The parcel was part of 100.78 acres in portions of Tracts 6 and 7, Tier 39, Newmans Survey, Plat Book 2 at page 26, that was obtained from the United States Department of Health, Education and Welfare in 1963 for educational purposes. H. E. W. must agree to the transfer, and conditions running with the land must be abrogated. Broward County will bear the $2,250 cost involved in abrogation of the conditions as to the one acre. The proposed deed will contain a restriction that the land shall be used solely for the location of a county agricultural center.

Staff recommended conveyance as requested subject to (1) consent by the U. S. Department of Health, Education and Welfare, (2) advice from Broward County that the one acre is not desired for public recreation purposes pursuant to Section 253.111 F. S., and (3) approval of the Board of Education.

On this date the Board of Education approved the land transfer as recommended, and on motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees concurred in the action of the Board of Education.

Mr. Conner left the meeting and the regular order on the agenda was followed by the remaining four members.

CHARLOTTE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes.
The Board of County Commissioners of Charlotte County on August 6, 1968, established a bulkhead line 259.81 feet long in Lemon Bay and Placida Harbor in Section 11, Township 42 South, Range 20 East, Charlotte County.

All required exhibits were furnished, there were no objections at the local hearing and the submerged land landward of the bulkhead line previously had been sold. The biological survey report was not adverse.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the bulkhead line as established by Charlotte County.

MANATEE COUNTY - The Trustees deferred consideration of a bulkhead line in Manatee County listed two weeks ago on the advance agenda. It will be brought back next week.

ST. JOHNS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of St. Johns County on April 14, 1970, established a bulkhead line 742.12 feet long in the St. Johns River adjacent to upland in Section 39, Township 6 South, Range 27 East, St. Johns County.

All required exhibits were furnished, there were no objections at the local hearing, and the staff recommended approval.

The biological survey report was adverse, stating that the line should be set at the mean high water line.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the bulkhead line as established by St. Johns County on April 14, 1970.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S. On this date the Trustees approved sale of 0.72 acre parcel of submerged land to Herbert J. McCauley (File No. 2291-44-253.12). In connection with that land, Mr. McCauley applied for a permit to dredge a navigation channel 50 ft. wide, 5 ft. deep and 400 ft. long on sovereignty land, and a 150 ft. triangular-shaped boat basin on submerged land to be acquired in Hawk Channel in Section 19, Township 63 South, Range 38 East. The material would be placed on the submerged parcel, sale of which was confirmed on this date.

The biological report was adverse. Applicant amended his project to comply with the recommendation outlined in the biological report.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of permit to dredge to improve navigation and to fill purchased submerged land.

MANATEE COUNTY - File No. 2318-41-253.12, Application to be Advertised.
Application was made by the City of Bradenton, by City Attorney Lloyd A. Lyday, for fee title to two parcels of filled sovereignty land in the Manatee River abutting Section 26, Township 34 South, Range 17 East, Manatee County, in the city, so that the city might convey land to upland owners to conform with agreements entered into by the city in developing water front lands. The parcels are part of a 54.25 acre tract dedicated to the City of Bradenton by the Trustees on February 27, 1968. The city will quitclaim to the Trustees the rights acquired under the dedication as to the 2.798 acres sought, and will pay the appraised value and cost of appraisal.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized the parcel advertised for objections only.

Mr. Adams noted that when the land is sold to the city for the

appraised price, the public purpose use will not continue in effect.

MONROE COUNTY - File Nos. 2178, 2179, 2180-44-253.42, Land Exchange To Be Advertised.

The Wacouta Corporation, represented by James T. Glass, applied for conveyance of 10.11 acres of sovereignty land in Newfound Harbor abutting Sections 26 and 35, Township 66 South, Range 29 East, Big Pine Key in Monroe County.

In exchange, applicant will convey to the Trustees 4 parcels comprising 4.63 acres of upland that in the opinion of the staff are valuable conservation tracts. Also, applicant will quitclaim to the Trustees approximately 8 acres lying bayward of the mean high water line and within an erroneous meander line. This will establish a definitive line between uplands and sovereignty lands. Applicant also agreed to defray cost of a comparable appraisal and to pay the difference in appraised values.

The biological report of April 15, 1969, was adverse to sale and development of the area originally sought by the applicant. The plans were modified to provide for the conservation areas. Original plans indicated two navigation channels; modified plans indicated one "Y"-shaped channel reduced to 50 feet wide. The perimeter channel will be dredged in part on applicant's upland. The area to be conveyed to the Trustees appeared to offset the damage to marine resources caused by dredging and filling.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees authorized advertisement of the proposed land exchange for objections only.

LEASE INCOME REPORT - The Trustees accepted for the record the report of remittances to Florida Department of Natural Resources from holders of dead shell leases, as follows:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$12,819.92
2233	Bay Dredging & Construction Co.	5,113.83
2235	Ft. Myers Shell & Dredging Co.	6,811.28

MONROE COUNTY - Dredge Permit, Section 253.03 F. S., File 179.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved the application from Mrs. Roxie Siderius to dredge a navigation channel 30 ft. wide, 5 ft. deep and 400 ft. long in Section 26, Township 63 South, Range 37 East, at Upper Matecumbe Key in the Atlantic Ocean, Monroe County. The biological report was not adverse. The material removed would be placed on applicant's upland property.

PALM BEACH COUNTY - Dredge and Fill Permits, Sections 253.123 and 253.124 Florida Statutes.

The Town of Lake Park issued to itself a dredge and fill permit for maintenance in an existing boat basin and channel in Section 21, Township 42 South, Range 43 East, in Lake Worth, Palm Beach County, subject to approval of the Trustees. The material removed would be used to fill approximately 0.38 acre of submerged land conveyed to the city by Trustees Deed Nos. 22899 and 24018.

The biological survey report was not adverse. The Area Planning Board of Palm Beach County had no objections to the project.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the dredge permit and approved the fill permit to the Town of Lake Park. The Trustees waived payment for the dredge material for this maintenance dredging for a public facility.

PALM BEACH COUNTY - Commercial Dock and Seawall, Section 253.03 F. S. The Town of Lake Park applied for permit for construction of a public dock facility and breakwater in conjunction with a public marina on city property in Lake Worth in Section 21, Township 42 South, Range 43 East, Palm Beach County. All required exhibits were furnished. Objections were received. Staff recommended approval and waiver of the processing fee.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees approved the application of the Town of Lake Park and waived the processing fee for the public facility.

VOLUSIA COUNTY - Commercial Dock Permit, Section 253.03 F. S. Edwin J. Williams, in care of Ed Williams' Fishing Camp, Inc., at Daytona Beach, Florida, applied for reinstatement and extension of state commercial dock permit No. CD-480 (originally issued March 29, 1963) for three years to allow completion of the dock on submerged land owned by the applicant. All required exhibits and $100 fee were submitted and staff recommended approval.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees approved the application.

MONROE COUNTY - Commercial Dock Permit, Section 253.03 F. S. On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees approved the application of Earl J. Tommer, Jr., doing business as Coral Shrimp Company, for a permit for construction of a dock adjacent to Safe Harbor Channel at Stock Island in Section 35, Township 67 South, Range 25 East, Monroe County, for which all required exhibits and $100 processing fee had been submitted.

BREVARD COUNTY - At the request of the Director, the Trustees deferred consideration of a resolution prepared by the staff in connection with the Pineda Causeway dredging and filling on last week's agenda and other such projects affecting the ecology.

BROWARD COUNTY - Oil Leases, Indian Lands, Chapters 285.08 and 285.12 Florida Statutes. Deleted by action of the Board on June 30, 1970.

SUBJECTS UNDER CHAPTER 18296

The Murphy Act Report listing one bid for sale of a parcel of land in Union County will be placed on the agenda again next week for approval of five members.

On motion duly adopted, the meeting was adjourned.

5-12-70

GOVERNOR - CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
May 19, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the office of the Governor, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The minutes of the meeting on May 5 were approved as submitted.

MANATEE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of Manatee County adopted resolutions pertaining to establishment of bulkhead lines on June 26, 1968, July 8, 1969, and April 23, 1970. On this date the staff recommended approval of the April 23, 1970, bulkhead line as fixed by the county from the north right of way of U. S. No. 19 northeasterly along the south shore of Bishop's Harbor to a point 2,000 feet west of the northeast corner of Section 24, Township 33 South, Range 17 East, Manatee County. After numerous conferences between county officials, affected land owners and staff members, this compromise line was agreed to, incorporating certain observations in the biological report that was prepared for the line submitted to the Trustees on April 29, 1969. The line as submitted provides a channel through Moses Hole that originally was contemplated to have only one entrance, provides for access through the Terra Ceia River from Bishop's Harbor to Terra Ceia Bay, thereby increasing the area to be excluded from the bulkhead line at the mouth of the Terra Ceia River and preserving grasses, mangroves and other biologically valuable resources.

The Director said that further adjustments had been made in the bulkhead line previously before the Board on at least three occasions, and while the biological report was adverse, he did not think any additional adjustments could be accomplished. The line would show the upland owner what he could not do, while what he could do might be determined when any subsequent dredge and fill permits were granted.

Mr. Apthorp said there were a few objections, the county had received one, and no one appeared at the county hearing.

Secretary of State Tom Adams noted that the compromise excluded about 180 acres, that the largest private owner agreed, and when development did begin the dredge and fill applications would be carefully studied.

On motion by Mr. Adams, seconded by Mr.Dickinson and adopted without objection, the Trustees approved the bulkhead line as located and adopted by the Manatee County Commission on April 23, 1970.

BREVARD COUNTY - File No. 1990-05-253.12(5), Land Sale Application. On March 31, 1970, the Trustees authorized advertisement for objections only of a 0.82 acre parcel of filled sovereighty land in the Indian River abutting Section 21, Township 29 South, Range 38 East, Brevard County, for which Eddie D. Thomas offered the appraised value. Notice of sale was published in the Melbourne Times, proof of publication filed in the Trustees' office.

Objection was filed by Herbert L. Heiken, attorney, on behalf of Mae D. Bridges, on the basis that litigation was pending that allegedly affects the application. Therefore, staff recommended deferral until the litigation is terminated.

Representative William E. Powell, from Eau Gallie, Florida, explained that the purchase involved a parcel of filled land resulting from fill spilling into the river during construction of State Road 5 (U. S. No. 1), that the applicant had granted an easement to the State Road Department and retained riparian rights. He mentioned objections from Mr. Boone and County Commissioner Richard Muldrew that had been withdrawn, and informed the Trustees that the litigation cited did not involve Mr. Thomas' property nor the parcel he sought to purchase.

As the recommendation was for deferral, detailed maps had not been furnished the members along with the agenda, and June 2 was the date suggested for further consideration.

Mr. Muldrew reviewed the agreements between the riparian owners, the county and the State Road Department at the time U. S. No. 1 was constructed, the commitments to protect the private owners' riparian rights, and expressed the opinion that in this instance the land was not filled but that accretion had occurred and Mr. Thomas probably owned the parcel. He withdrew the objection he had made prior to reviewing the circumstances thoroughly, and urged that the sale be approved. He stated that other land owners in the area were also entitled to consideration as riparian owners who had granted easements to the Road Department.

Mr. Christian asked to be furnished a detailed map, and Mr. Adams asked how the bulkhead line entered into the negotiations. The Director said upland was involved, not submerged land. Mr. Muldrew added that the bulkhead line had been established at the high water mark in the county.

The Trustees asked for a careful investigation before the application was considered again on June 2.

Honorable Richard Muldrew, County Commissioner of Brevard County, then discussed some property at Sebastian Inlet and urged action on a proposal to buy valuable ocean front for public recreation and state park purposes. The matter will be on the agenda soon under the Department of Natural Resources.

MANATEE COUNTY - File 2313-41-253.03, Dedication.
On December 2, 1969, the Trustees agreed to issue a dedication of approximately 57 acres of sovereignty land in Terra Ceia Bay abutting

Bird Key in Township 34 South, Range 17 East, Manatee County, to the National Audubon Society which now has acquired title to Bird Key and will use the sovereignty land as a buffer zone in connection with a bird sanctuary. Notice of intended dedication was published in the Bradenton Herald, authorized by the Trustees on March 31, 1970. No objection was received and staff recommended issuance of dedication with a reverter clause in the event the land should not be used for the purpose dedicated.

On motion made by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of a dedication instrument to the National Audubon Society for the sovereignty land around Bird Key as advertised to be used as a buffer zone in connection with the bird sanctuary, the instrument to contain a reverter clause, as recommended.

SARASOTA COUNTY - File No. 1945-58-253.12, Land Sale.
On March 31, 1970, the Trustees authorized advertisement of a parcel of sovereignty land in Blackburn Bay abutting Section 22, Township 38 South, Range 18 East, Sarasota County, to clear title to .046 acre parcel of sovereignty land on which a house on pilings existed. Notice of sale was published in the Sarasota Herald Tribune, proof of publication filed, and no objection received.

The applicant, Mario M. Lucci, offered $557 for the sovereignty land and $398 for the improvements, or a total of $950. No dredging or filling was desired, the biological report was not adverse, and the staff recommended approval of the sale.

On motion by Mr. Christian, seconded by Mr. Adams and adopted, the Trustees confirmed sale of the advertised parcel within the established bulkhead line to Mr. Lucci at $950 for the parcel.

LEE COUNTY - File No. 2243-36-253.12, Land Sale.
On March 31, 1970, the Trustees considered application of Walter C. Groff and wife to purchase a parcel of filled sovereignty land lying within parts of Lots 3, 4, 7, 8 and the southerly portion of Lot 9, Unit 2, Golden Beach Subdivision, Plat Book 14, Page 83, in Section 23, Township 43 South, Range 20 East, Gasparilla Island in Lee County. Notice of sale was published in the Fort Myers News, proof of publication filed, and no protest received.

The land was filled some time in 1957 by applicant's predecessor without applicant's knowledge. There is evidence indicating that the land would be susceptible to the provisions of Section 253.12(6) Florida Statutes; however, it is insufficient and does not meet with full requirements of Trustees Rule No. 200-2.10. Staff recommended sale for $2,600 based on staff appraiser's review of recent sales based on M.A.I. appraisals and information in the Trustees' files.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees confirmed sale of the advertised parcel of filled land to the applicant at $2,600 for the parcel.

WALTON COUNTY - File No. 2334-66-253.03, Right of Way Easement.
The Department of Transportation requested a right of way easement of 0.25 acre across bottoms of Mullet Creek abutting Section 7, Township 1 South, Range 21 West, and 0.5 acre across bottoms of Basin Bayou abutting Section 21, Township 1 South, Range 20 West,

Walton County, for the reconstruction of two bridges on State Road 20, Section 60030-2901, Parcel No. 100. No dredging or filling is proposed within the easement area and after review, the Game and Fresh Water Fish Commission and Department of Natural Resources offered no objections.

The Department also requested temporary easement of 0.05 acre across bottoms of Basin Bayou for detour purposes during construction of the said bridges.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the right of way easement and the temporary easement to the Department of Transportation.

BREVARD COUNTY - Temporary Borrow Easement, Section 253.03 F. S. The Department of Transportation requested an alternate borrow area embracing 13.77 acres in the Indian River adjacent to Section 19, Township 26 South, Range 37 East, Brevard County, for material to be used in construction of Pineda Causeway, State Road 404, Section 70004-2503. The Department disclaimed an area of equal size of a borrow area previously granted by the Trustees.

The Department of Natural Resources reviewed the site and indicated that the water depth was greater than 6 feet and seagrasses did not grow in the area.

ALSO: The Merritt Dredging Company, in connection with the above Department of Transportation request, applied for a dredge permit for removal of 311,000 cubic yards of material from a borrow area abutting Section 19, Township 26 South, Range 37 East, Indian River in Brevard County. The material will be placed on the Pineda Expressway. The biological report stated that the new dredge area will result in shorter pumping distances.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of (1) temporary borrow easement to the Department of Transportation, and (2) dredge permit to Merritt Dredging Company subject to dredging and spoiling being done so that a maximum of 50 Jackson units, using standard candle turbid-meter test, shall not be exceeded and if, during dredging or spoiling operations, the turbidity exceeds 50 Jackson units the dredging and spoiling shall cease until the turbidity level returns to normal.

ESCAMBIA, SANTA ROSA, OKALOOSA AND WALTON COUNTIES - Seismograph Survey. The Geophysical Service, Inc., of New Orleans, Louisiana, requested permission to conduct a seismograph survey over state water bottoms in the inshore bay areas extending from Perdido Bay to Choctawhatchee Bay, utilizing air guns instead of explosives.

The Department of Natural Resources approved the survey and assigned Permit No. 87 to the project. The survey will end on or about September 1970.

On motion by Mr. Christian, seconded and duly adopted, the Trustees approved the seismograph survey insofar as the interest of the Board extends.

GLADES COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Mr. H. E. Walker of Moore Haven, Florida, applied for permission

to dredge in Turkey Creek, a tributary to the Caloosahatchee River in Section 26, Township 42 South, Range 30 East, Glades County, to a depth of 11 ft. and 75 ft. wide, for drainage and access to the river. The material removed will be placed on applicant's upland property.

The staff recommended approval subject to removal of the dam located in old abandoned Caloosahatchee River bed between Turkey Creek and the sand company canal as requested in the biological report which was adverse. The Director said a structure under Flood Control District plans was to be built, the location being a matter between the owners and the Flood Control District.

Mr. Christian made a motion for approval.

Mr. Adams said it looked like Turkey Creek might be destroyed by plans of the Flood Control District which caused him great concern. He asked for deferment, whereupon Mr. Christian withdrew his motion.

Without objection, the Trustees deferred action for two weeks.

LEE COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes.

Mr. F. James DeLozier, representing W. & H' Waterways, Inc., applied for permit for dredging a navigation channel 30 ft. wide, 3 ft. deep and 110 ft. long, parallel to the shoreline in Section 13, Township 46 South, Range 23 East, Hurricane Bay in Lee County. The material removed will be placed on applicant's upland, and the biological report was not adverse.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the dredge permit to the applicant.

MANATEE COUNTY - Dredge Permit to Improve Navigation and Upland, Section 253.123 Florida Statutes.

Mr. Dewey A. Dye, Jr., on behalf of Suncoast Realty Company, applied for permit authorizing dredging of a navigation channel 70 ft. wide top cut, 6 ft. deep and 3,100 ft. long in Section 22, Township 35 South, Range 17 East, Sarasota Bay in Manatee County.

Applicant tendered check for $3,700 as payment for 37,000 cubic yards of material to be removed from the channel and deposited on his upland property.

The biological report was adverse, but the applicant had reduced the size of the proposed channel, submitted payment for all the material to be removed and agreed to perform the work with a dragline as suggested in the biological report.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the requested permit.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 Florida Statutes, To Improve Upland and Navigation.

Mr. Alfred Dallago, represented by James T. Glass, applied for a permit to dredge a 50 ft. wide by 150 ft. long by 5 ft. deep access channel adjacent to Section 27, Township 62 South, Range 38 East, on sovereignty land in Monroe County; and permit to dredge three

50 ft. wide by 100 ft. long by 5 ft. deep channels and a perimeter channel 30 ft. wide by 500 ft. long by 5 ft. deep on submerged land heretofore conveyed.

The material removed will be used to fill approximately 3.5 acres of submerged land purchased under Trustees Deed No. 21510. The applicant tendered check for $80 as payment for 800 cubic yards of material to be removed from sovereignty land.

The biological report was adverse, but the applicant had amended his plan by locating the perimeter channel on submerged land heretofore conveyed instead of on sovereignty land and, in addition, is paying for all material to be removed from sovereignty land.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the requested permit.

PINELLAS COUNTY - Maintenance Dredge Permit, Section 253.123 F. S. Pinellas County Water and Navigation Control Authority issued Permit No. DO-183 for maintenance dredging adjacent to Section 23, Township 27 South, Range 15 East, in St. Joseph Sound subject to Trustees' approval. The applicant, Storm Harbor Marina, Inc., planned to remove the material from the channel and deposit it in two spoil areas.

The biological report indicated only limited adverse effects were anticipated.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of the dredge permit subject to dredging being done by dragline method, spoil placed so that tidal circulation will not be affected, with spoil areas not to exceed 300 ft. long placed 500 ft. apart and 500 ft. from shore, as recommended by the staff.

BROWARD COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b) Florida Statutes.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application of Florida Power and Light Company for permission to dredge to install a submarine power cable in Sections 6 and 7, Township 49 South, Range 43 East, Broward County, in the Intracoastal Waterway. The biological report was not adverse. Applicant tendered check for $100 in payment of the processing fee.

ST. JOHNS COUNTY - Dredge Permit for Utility Installation, Section 253.123(3)(b) F. S., File No. 545.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application of Florida Power and Light Company for permission to dredge to install a submarine power cable in Township 17 South, Range 30 East, Matanzas River in St. Johns County, for which the processing fee of $100 and a favorable biological report had been filed.

SARASOTA COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b) F. S., File No. 547.

On motion by Mr. Christian, seconded by Mr.Adams and adopted without objection, the Trustees approved the application of Florida Power and Light Company for permission to dredge to install a submarine power cable in Section 15, Township 38 South, Range 18 East, Blackburn Bay in Sarasota County, for which applicant had tendered the $100 processing fee. The biological survey report was not adverse.

PALM BEACH COUNTY - Commercial Dock Permit, Section 253.03 F. S. On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved application of Arvida Corporation for a permit for construction of a marginal wharf along the Intracoastal Waterway in Section 29, Township 47 South, Range 43 East, Palm Beach County, for use by the United States Coast Guard Auxiliary. All required exhibits including $100 processing fee had been submitted.

RESOLUTION - The Director presented for consideration a resolution that the Trustees suggested on May 5 and deferred action on May 12, whereunder the Trustees would require review and study of plans of public projects such as causeways, roads, bridges and other works that affect sovereignty lands and the biological environment prior to granting easements for right of way, borrow pits or spoil areas, dredging and filling permits, or approving bulkhead lines. At Mr. Adams' request the staff had prepared a resolution that designated the Trustees' staff as the agent responsible for reviewing and coordinating studies of plans for public works projects by state agencies and by local governments. Then the staff had modified the resolution as suggested by the Attorney General by inserting the name of the Interagency Advisory Council on Environmental Safeguards to make the review and studies of plans; however, no members of the council were designated as the members of the Environmental Safeguards Council had not been designated in the January 6 resolution of the Cabinet.

Governor Kirk said he did not understand the Attorney General's letter, that the Trustees had long practiced such studies and review of applications, that agencies or members of the council proposed by the Attorney General had never been designated, and that the Department of Transportation and other agencies were willing to leave the responsibility in the Trustees rather than to move it to another group. In his opinion the members of the council were the Trustees, the Governor said, and the staff could coordinate with state agencies and notify all County Commissioners and other local and state agencies concerning public works projects on state sovereignty lands.

The Secretary of State pointed out that the Board had not been reviewing plans of structures over sovereignty lands as had been brought out in the Pineda Causeway applications before the Board on May 5. He agreed that the Environmental Safeguards resolution contained desirable aims but it did not specify people or agencies, was not tied down. He said if the Trustees did want such plans reviewed it would be fine to have the Trustees' staff coordinate the studies or there might be some group of agencies or people designated as the responsible council.

Mr. Apthorp explained the problem of timing, that requests had come to the staff for easements, fill permits or bulkhead lines after contracts had been signed and starting dates fixed by the Department of Transportation and some local governmental agencies.

Motion was made by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, that the resolution be adopted placing the responsibility in the Trustees of the Internal Improvement Trust Fund.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr.Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved Report No. 965 and one regular bid for sale of a parcel of land in Union County to John D. Griffis and Alvin A. Griffis under provisions of the Murphy Act, Chapter 18296 Acts of 1937, Section 197.350 Florida Statutes.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: James W. Apthorp
EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
May 26, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the office of the Governor, in the Capitol, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

The minutes of the meeting on May 12 were approved as submitted.

PALM BEACH COUNTY - File No. 24981 (1991-50), Litigation, DiVosta Rentals, Inc., vs. Claude R. Kirk, Jr., et al, Circuit Court of the Second Judicial Circuit in and for Leon County, Florida, Case No. 69-1219.
On October 21, 1969, the Trustees denied an application by DiVosta Rentals, Inc., for a permit under Section 253.124 Florida Statutes, to fill a parcel of sovereignty land in Lake Worth abutting Section 27, Township 43 South, Range 43 East, in the City of West Palm Beach, Florida.

Litigation ensued resulting in an order adverse to the Trustees in the above cited case. On this date the counsel of the Board of Trustees recommended that judicial review be limited to the filing

of a motion for rehearing. The Director said that the staff consulted with the office of the Attorney General who had handled the case, and with the Board's counsel, and that the consensus was that the recommendation would be not to appeal.

Secretary of State Adams said that members had received a copy of the Judge's opinion, that the Board should be careful of the cases that are litigated, that in this instance the Judge had said it was the duty of the Trustees before approval of sales to consider any other factors affecting the public interest, the Court will presume that they did so, and having taken the plaintiff's money they cannot now say that the public interest is such as to prevent the purchaser putting the property to the use for which it was bought. He also noted that the Judge said that the Trustees determined that the filling was not undesirable, but that the land, when filled, should be used as a public park; but in that event the State must acquire title by purchase or condemnation. Mr. Adams added that the Board should consider this opinion in relation to applications that come before the Trustees.

Mr. Apthorp said that very good legislation had been proposed that would require handling all at one time the applications for bulkhead lines, sales and fill permits, with a time limit for the filling.

Mr. Christian asked if this ruling might affect the Honeymoon Island fill, but the Director said in that case it was a permit from the Corps of Engineers and not a Trustees' permit.

Mr. Faircloth did not recommend an appeal. That being the consensus of opinion, the Trustees directed no further appeal be made.

PINELLAS COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Pinellas County Water and Navigation Control Authority on October 1, 1968, established a bulkhead line along the mean high water line around Grassy Island in the Anclote River in Section 12, Township 27 South, Range 15 East, Pinellas County. There were no objections at the local hearing and the biological survey report was not adverse. Staff recommended approval.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved the bulkhead line as established by the Pinellas County Water and Navigation Control Authority.

PINELLAS COUNTY - File No. 2190-52-253.12(5), Purchase Application. Granville E. Noblit, et al, represented by Jerome E. Wollinka, Attorney at Law, applied for four parcels of filled sovereignty land within the above described bulkhead line abutting Noblit's Grassy Island Replat, Plat Book 27, Page 31, public records of Pinellas County, 1.409 acres in fractional Section 12, Township 27 South, Range 15 East, Pinellas County. The land was filled by work of the United States Corps of Engineers in 1958 during channel improvement of the Anclote River, the biological report was not adverse, the application area had been reduced from 6.24 to 1.409 acres, and the application was advertised and sale recommended by Pinellas County Water and Navigation Control Authority.

In order to clear title to the filled sovereignty land, applicant offered $10,937.04 for the parcel, appraised at the value of

$7,762.27 per acre. Staff recommended sale at the appraised value.

Attorney General Faircloth said he would vote "no", that although better justification might be made for this sale than ordinarily and great strides had been made changing the Trustees from what appeared years ago to be a land sales agency, the Board had served notice that they do not want to sell land but want the highest and best use for the people - and he did not want to sell any of the public land. Under current law the Trustees have to consider the public interest as one of the factors, but Mr.Faircloth expressed the opinion that the philosophy should be that the land could not be sold unless it was proven to be in the public interest. That had been proposed in House Joint Resolution No. 792 which failed to pass in the Senate. He questioned which was in the public interest, the $10,000 or retaining the land for some future use.

Mr. Conner thought the staff had considered that in recommending the sale, that the Board sat as a constitutional body to try to make such decisions and any member would be reluctant to vote against the public interest which was something to be interpreted and defined. Mr. Conner added that in some instances it might be better to place the parcel on the tax rolls until there were plans indicating need for the land for some future public use.

The Director advised that there appeared to be no public need for the land, that the filling in 1958 under Corps of Engineers permit was "no protested" by the Trustees (no state permit required then) adjacent to an island owned by the applicant who after developing the original part of the island was advised by his attorney to purchase the submerged land. Staff had specified the appraiser and thought there were some equities in the application, the applicant had paid to have the fill placed there, of which about five acres would remain in public ownership.

Governor Kirk said it was equitable but not necessarily in the public interest. He felt that the Board had always acted in the public interest.

Mr. Christian favored selling the parcel not needed for a state use to the applicant who was the only one that could purchase it. He did not see how holding the parcel with no apparent usefulness would be in the public interest, whereas the $10,000 would be useful. Mr. Faircloth said the parcel might be of some benefit in the future, and that planning might reveal its usefulness.

Mr. Adams noted that under current law in the sale of submerged land, the Trustees had to consider that it was not <u>against</u> the public interest to sell - not that it was in the public interest; but if the interpretation of the law was changed he would like to vote with the Attorney General. He and other members and the Governor agreed with the suggestion that the Attorney General do some research on a possible policy change for the Trustees.

Motion was made by Mr. Dickinson, seconded by Mr. Conner, and adopted on a vote of four to two, that the sale to Mr. Noblit be confirmed. Mr. Christian and Governor Kirk voted in the affirmative. Messrs. Faircloth and Adams voted "no", and without five approving votes the sale failed to pass.

<u>BREVARD COUNTY</u> - Dedication, Swamp and Overflowed Lands.
On October 22, 1968, the Trustees authorized dedication of 461.6 acres in Township 24 South, Ranges 36 and 37 East, to Brevard County

for public park and recreation purposes. At that time no specific plan or schedule for utilization of the land was submitted as required by provisions of Section 253.111 Florida Statutes. No dedicatory instrument issued.

After numerous conferences by county representatives and Trustees' staff, a plan and timetable for developing the land was submitted and endorsed by the Division of Parks and Recreation of the Department of Natural Resources. The plan is to create a nature preserve accessible to the public through construction of pathways, observation tower and other compatible facilities. The county proposes to begin construction two months after the land is rededicated, with completion in approximately three years.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees reconfirmed the dedication and authorized issuance of the instrument with appropriate restriction and reverter provisions.

DUVAL COUNTY - Release of Restrictive Covenants, File No. 22544 (628-16) - 253.12.

Southern Baptist Hospital of Florida, Inc., represented by Lawrence D. Fay, requested release of restrictive covenants and reverter clause contained in Deed No. 22544(628-16) granted on June 21, 1960, to Southern Baptist Hospital. A parcel of 1.46 acres of sovereignty land in the St. Johns River was conveyed in 1960 to the hospital for a nominal consideration of $246.

Successors in title now require release of the restriction and reverter clause so that suitable financing can be secured, and the applicant agreed to pay the appraised value of $3,650 to obtain such release. Staff recommended approval.

ALSO: Sovereignty Land Conveyance, Section 253.12(6) F. S., File No. 2338-16-253.12(6).

Southern Baptist Hospital of Florida, Inc., represented by Mr. Fay, requested conveyance to clear the title to 2.33 acres of filled sovereignty land adjacent to the St. Johns River in unsurveyed Section 23, Township 2 South, Range 26 East, Duval County. Evidence was submitted that the land was filled between 1952 and 1953 and was susceptible to be conveyed under provisions of Section 253.12(6) Florida Statutes, under which the conveyance of the land is mandatory.

The consideration for such conveyance as required by law is the appraised value of the land in the unfilled state at the time of filling. An appraisal was secured, showing the value of $5,825. Staff requested authority to issue a quitclaim deed.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the two requests from Southern Baptist Hospital be approved.

Governor Kirk commented it would be hard to implement such actions if the policy proposed by the Attorney General on this date is implemented.

ALACHUA COUNTY - Drainage Easement.

On motion by Mr. Conner, seconded by Mr. Christian and adopted without objection, the Trustees approved request from the City of Gainesville for a drainage easement 60 feet wide and 300 feet long

in Sections 7 and 18, Township 9 South, Range 20 East, Alachua County, that would be an extension of an existing drainage easement. The easement, approved by the Board of Regents, would be across land in use by the University of Florida.

LEE COUNTY - Electric Power Line Easement.
On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees approved the application from Lee County Electric Cooperative, Inc., North Fort Myers, Florida, for a six-foot wide easement across a parcel containing 3.6 acres in Section 21, Township 46 South, Range 22 East, Lee County, adjacent to the south side of State Road 867 on Sanibel Island. The Sanibel Fire Control District reviewed and approved the request for easement across the parcel, under lease to the District for fire control purposes.

TRUSTEES' OFFICE - Records Disposal.
The Trustees authorized the Executive Director to execute a request for records disposal to the Division of Archives, History and Records Management, Department of State, pertaining to certain form letters, tear-offs, and petitions of objection and agreement to the Honeymoon Island dredging matter in Pinellas County that was on the agenda of May 12, 1970, File No. 306-52, SAJSP Permit (59-77).

The Director advised that about 12,000 pieces of various kinds of correspondence were received and when appropriate, responded to by the staff; and the statistical data had been tabulated and recorded.

BREVARD COUNTY - Dredge Permit to Improve Navigation, Section 253.123 F. S., File No. 470.
The City of Satellite Beach applied for permission to dredge a navigation channel 1000 feet long, 50 feet wide, 4 feet deep, and a navigation channel 800 feet long, 50 feet wide, 4 feet deep, in the Banana River adjacent to Section 34, Township 26 South, Range 37 East, Brevard County. The city would have the material placed on city property and requested waiver of the 10¢ per cubic yard required payment for dredge material removed from an aquatic preserve. The city had agreed to relocate the bulkhead line to the mean high water line in an effort to preserve the integrity of the Banana River Aquatic Preserve from possible encroachment.

The biological report was adverse, but there were no apparent feasible alternate routes available that would diminish adverse biological effects.

Mr. Adams asked if one channel instead of two might not be sufficient. The Director said with one channel only, a perimeter channel crossing in front of the park would be required which would be a safety hazard, and the requested alignment was better.

On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved issuance of the dredge permit as requested, without charge for the material.

COLLIER COUNTY - Dredge Permit to Improve Navigation, Section 253.123.
C. F. Geitz, Naples, Florida, applied for a permit for channel connection for three separate boat slips to Johnson Bay and Hurricane Pass in Section 25, Township 51 South, Range 25 East, Collier County. Approximately 80 cubic yards of material to be removed

would be placed on the applicant's upland.

The biological report prepared for a bulkhead line in the area stated that any development should be done so that the work would preserve the mangroves, and dredging should be limited to necessary navigation channels of realistic width and depth. The application complied with the biological report recommendations.

In answer to Mr. Faircloth's request for more specific information, the Director said the application was to make a connection of an upland channel to the bay, just taking the "plug" out, that 80 cubic yards would be the maximum amount of material removed.

On motion by Mr. Christian, seconded by Mr.Adams and adopted without objection, the Trustees approved issuance of the dredge permit as requested.

DUVAL COUNTY - Dredge Permit for Maintenance Dredging, Section 253.123 Florida Statutes.

On motion by Mr. Adams, seconded by Mr. Christian and adopted without objection, the Trustees approved the application from Jacksonville Port Authority for maintenance dredging at Talleyrand Docks and Terminals in Township 2 South, Range 27 East, St. Johns River in Duval County. The material would be placed in an existing spoil area south of the Fuller Warren Bridge, and the biological report was not adverse.

PUTNAM COUNTY - Dredge Permit to Improve Upland, Section 253.123 Florida Statutes, File No. 483.

Woodrow W. Daugherty applied for a permit to remove muck and vegetation adjacent to his upland on Swan Lake in Section 9, Township 9 South, Range 23 East, offering $50 as minimum payment for the material to be removed. He proposed to replace it with white sand.

The biological report was adverse, and the staff recommended denial. Mr. Adams noted that the biological report indicated that if other methods and different tools were used than what the applicant proposed, the biological damage might be greatly reduced. He suggested that action be deferred to explore that possibility.

On the motion by Mr. Adams, adopted without objection, the Board deferred action on Mr. Daughterty's application.

FLAGLER COUNTY - Utility Installation Permit, Section 253.03(7) F.S.

Southern Bell Telephone and Telegraph Co., Jacksonville, Florida, applied for a permit to lay a telephone cable on the bottom of the Intracoastal Waterway in Section 38, Township 11 South, Range 31 East, Flagler County. Applicant tendered check for $100, the required processing fee.

On motion by Mr. Christian, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of the permit.

DUVAL COUNTY - Commercial Dock Permit, Revision; Section 253.03 F. S.

The City of Jacksonville, by its Director of Public Works, applied for an amended permit for the construction of a dock facility at the Mayport Boat Launching Ramp in the St. Johns River in Section 38 of the Andrew Dewees Grant, Township 1 South, Range 29 East, Duval County. All required exhibits were furnished; the adjacent owner offered no objections to the revisions of the original permit

No. CD-1543 approved by the Trustees on September 30, 1969.

On motion by Mr. Faircloth, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of the requested permit and waived the $100 processing fee for the public facility.

DUVAL COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Christian, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of commercial dock permit to Daly's Boatyard, Inc., in care of Eagle Marine of Jacksonville, Florida, to permit the modification and extension of an existing dock in St. Johns River adjacent to Fort George Island in Township 1 South, Range 29 East, Duval County, for which all required exhibits, including $100 processing fee, had been submitted.

MANATEE COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Conner, seconded and adopted without objection, the Trustees authorized issuance of commercial dock permit to Whitney Beach Condominium, in care of Paul Neal, Jr., Longboat Key, Sarasota, Florida, for the construction of a wharf along Bishop's Bayou in Section 22, Township 35 South, Range 16 East, Manatee County, for which all required exhibits including $100 processing fee had been submitted.

PINELLAS COUNTY - Commercial Dock and Boat Ramp, Revision; Section 253.03 Florida Statutes.
On motion by Mr. Christian, seconded and adopted without objection, the Trustees authorized issuance of a commercial dock and boat ramp permit for the revision of a proposed dock and boat ramp facility in Tampa Bay at Point Pinellas Subdivision south of Furman Avenue in Section 18, Township 32 South, Range 17 East, Pinellas County, for which all required exhibits had been furnished. The Trustees waived the $100 processing fee for this public facility applied for by the City of St. Petersburg.

MONROE COUNTY - Dredge to Improve Navigation, Section 253.03 F. S.
David B. Cable, represented by James T. Glass, applied for permission to dredge a perimeter channel 5 ft. deep, 50 ft. wide and 570 ft. long, adjacent to uplands owned by the applicant in Section 22, Township 61 South, Range 39 East, Newport Bay, Key Largo, in Monroe County. Approximately 4,500 cubic yards of material from sovereignty land would be placed on uplands along the channel.

The biological report was adverse, but concerned itself with vegetation on the applicant's property. A plan of development was submitted indicating that approximately 20 acres of vegetation would be preserved in its natural state for a nature trail and buffer zone.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved the application for permit to dredge to improve navigation as recommended by the staff.

Secretary of State Tom Adams noted that the Board had taken action to prevent improper use by public bodies of sovereignty bottoms of the state. His attention had been called to certain developers in the state who actually platted lots on sovereignty lands not yet in their ownership, in some instances issued brochures and sold lots

without proper authorization - and then applied for after-the-fact permits. The Director said he would investigate the circumstances, that the staff might work out some cooperative approach with the Division of Installment Land Sales similar to what was being worked out with the Department of Transportation.

Mr. Adams also referred to his request on April 7 that the staff and the Natural Resources Department study what appeared to him an opportunity to develop a system of marine parks on spoil islands existing on the east and west coasts of Florida. The Director said Mr. Ney Landrum had a number of ideas and would have a report to present to the board soon.

The Board directed that an advance agenda item proposed for consideration on June 9 not be placed on the agenda, with reference to an application for certain spoil islands adjacent to Santa Rosa Island which might be useful for state purposes rather than to turn them over to some other agency or authority.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr.Dickinson, seconded and adopted without objection, the Trustees approved Report No. 966 listing one regular bid for sale of a parcel of land in Sumter County to Cliff A. Kelley under provisions of Chapter 18296, Acts of 1937, Section 197.350 Florida Statutes.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: _____
EXECUTIVE DIRECTOR

* * * * * * * * * * * *

Tallahassee, Florida
June 2, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in the office of the Governor, with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp — Executive Director

6-2-70

The minutes of the meeting of May 19 were approved as submitted.

POLICY. Attorney General Earl Faircloth, referring to the discussion on May 26 regarding a change of policy for the Trustees on applications for sale or lease, said he had found no legal impediment to the adoption of a resolution stating that no applications for the sale or lease of state land would be considered by the Cabinet unless the applicant could show that it was in the public interest. The Director should affirmatively make a recommendation as to whether it is in the public interest, and the Board would make the interpretation of the public interest to be served by the sale or lease. Mr. Faircloth said the Senate did pass a bill which would be on the ballot in November, but the Trustees could change the policy now as the fiduciaries of state land. He said a management and use plan for state lands projected against population needs was needed, that the public interest should be considered first, that the Supreme Court has said state land does not have to be sold, and he moved the adoption of a resolution which he had sent with a memorandum to each member on June 1.

Mr. Williams seconded the motion for adoption of the resolution. Mr. Christian asked who would interpret the public interest with respect to applications, adding that he had thought an application for sale was in the public interest which the Board had denied recently. He thought many sales were in the public interest in his judgment, if not usable for a state purpose. Mr. Faircloth said the land might be useful twenty-five years from now for a public purpose and such information would be available if an Environmental Control Safeguard Agency or planner was working, and lack of information could cause inconsistency in the consideration of applications on their merits.

Mr. Conner said they should declare a moratorium to last no longer than necessary to prepare a plan projecting state land needs for twenty-five or thirty years. He felt it might be unfair to individuals to try to interpret the public interest without a plan, that it would be intangible and hard to substantiate a refusal to sell, and an outright moratorium would be more equitable to the general public. He asked if the Attorney General would recommend to him what was in the public interest.

Mr. Adams pointed out that nothing in the law requires sale of land, that in the absence of proof that a sale is in the public interest the land would remain in its natural condition. He thought this policy clarified the situation and provided more guidelines.

Mr. Christian did not object to the resolution but thought that was what the Board had been doing whenever it considered applications. Governor Kirk agreed but said the Trustees might confirm the policy. Mr. Dickinson did not object to the motion in the sense of protecting the public interest but expressed the opinion that the Board considered the merits or lack of merit in every application brought to them by the staff. He hoped sales of sovereignty lands were not precluded where it was obvious that there was no state need for the land.

Mr.Williams said the staff would scrutinize each proposal more carefully, that each case must be considered on its merits, and in the event an applicant had a different opinion his proposal could be placed on the agenda for the Board to make the decision.

Mr. Conner said he was voting for what was in the public interest but without a plan to guide him, it might be difficult to decide.

The Director said the staff would need some policy guidance, that he had several questions with respect to leases.

On the motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the following resolution was passed and executed by the Trustees:

RESOLUTION

WHEREAS, Florida's publicly-owned land is a vitally important resource which should be preserved for the use of all her citizens; and

WHEREAS, past sales of this publicly-owned land have significantly depleted this vital resource; and

WHEREAS, stringent measures must now be adopted to preserve what remains of this resource for future generations; and

WHEREAS, the State of Florida Board of Trustees of the Internal Improvement Trust Fund has fiduciary duty to act on behalf of all the citizens of Florida; NOW THEREFORE,

Revised. See minutes July 21, 1970.

BE IT RESOLVED that the State of Florida Board of Trustees of the Internal Improvement Trust Fund does hereby declare that no further sales or leases of state-owned land will take place unless the applicant for the sale or lease can affirmatively demonstrate that same would be in the public interest; and BE IT

FURTHER RESOLVED, that the Trustees' staff is hereby directed to include in its recommendations on each sale or lease a statement as to whether same would be in the public interest.

DONE in The Capitol, Tallahassee, Florida, this 2nd day of June, 1970.

SARASOTA COUNTY - Bulkhead Line, Section 253.122 Florida Statutes; Dedication for Road Right of Way and Fill Permit for Dedicated Street.

On the recommendation of the Director the Trustees deferred for two weeks consideration of a bulkhead line relocated by the Sarasota County Water and Navigation Control Authority in Roberts Bay adjacent to Section 1, Township 37 South, Range 17 East, Sarasota County, which will allow construction of a platted road as shown on plat of Siesta Beach Subdivision. By Resolution 70-65 dated March 31, 1970, the county had requested dedication of the submerged area landward of the bulkhead line for road right of way and approval of fill permit for the dedicated street only.

No dredging of the sovereignty land was contemplated in the road construction. The biological survey was adverse and several objections were filed.

BREVARD COUNTY - File No. 1990-05-253.12(5), Filled Sovereignty Land Sale Denial. On May 19, 1970, the Trustees considered a land sale application from Walter C. Sheppard, on behalf of Eddie D. Thomas, for a parcel of filled sovereignty land in the Indian River abutting Section 21, Township 29 South, Range 38 East, Brevard County, at the appraised value. Applicant desired to

acquire land between his upland ownership and the existing mean high water line of the Indian River. The parcel was filled either by overfill during construction of State Road 5 or accretion. Having given an easement to the State Road Department for the highway, the applicant retained riparian rights - a situation that exists in the area for two or three miles along State Road 5 (U. S. No. 1).

The Director reported that the applicant had requested thirty days' delay subsequent to preparation of the agenda. Staff recommendation was to deny the sale of the 0.577 acre parcel.

Motion was made by Mr. Christian, seconded by Mr. Adams and adopted without objection, that the application be denied.

ORANGE COUNTY - File No. 2298-48-253.36, Land Sale.
James C. Robinson, on behalf of Dr. C. R. Stewart and wife, applied to purchase a 0.367 acre parcel of reclaimed lake bottom land lying between the original meander line and the 86.4 foot contour line in Lake Conway abutting Reserved Lot, Block "C" of Nela Isle, Island Section, Plat Book "O", page 99, public records of Orange County, in Section 30, Township 23 South, Range 30 East, at the appraised value of $1,600.00 for the parcel.

Sale of the parcel was approved by the Lake Conway Water and Navigation Control District on November 29, 1969. That Authority advertised the land and held public hearings pursuant to Chapter 57-1643, Laws of Florida.

The staff recommended that the sale be confirmed at the appraised value for the reclaimed lake bottom, and that applicant be required to pay the cost of the appraisal. Mr. Dickinson noted that the parcel had no public access. The Director explained that Lake Conway is a controlled-elevation lake with a control structure, that at the time the lake level was established it caused a strip of land all around the lake to be exposed and about two hundred parcels had been disposed of to the upland owners.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees confirmed sale of the reclaimed lake bottom land to the applicant at the appraised value, applicant to pay cost of the appraisal.

DADE COUNTY - File No. 2329-13-253.12, Application to be Advertised.
William J. Roberts, attorney, representing H. P. Forrest, Trustee, applied for a 4.4026 acre parcel of sovereignty land in Biscayne Bay abutting Section 22, Township 53 South, Range 42 East, in Miami Beach, Dade County, desired for construction of a hospital.

The parcel is landward of the bulkhead line approved by the Trustees on March 21, 1967, and reaffirmed by the Interagency Advisory Committee on June 25, 1968. The biological report stated that sale and development would have adverse effects on the small amount of remaining marine life that now existed in the area. The Director said it was an area of limited marine productivity.

Mr. Faircloth commented that to advertise for objections implied that sale would be considered. Mr. Christian said he considered use for a hospital was in the public interest.

On motion by Mr. Christian, seconded by Mr. Dickinson and Mr. Williams, adopted without objection, the Trustees authorized

advertisement of the parcel for objections only.

MANATEE COUNTY - File No. 2153-41-253.12, Application to be Advertised. Dewey Dye, Jr., on behalf of O. R. Icard, offered the appraised value (to be determined) for purchase in order to clear title to a 2.18 acre parcel of sovereignty land adjacent to Bowlees Creek abutting Section 26, Township 35 South, Range 17 East, Manatee County. The parcel was landward of the bulkhead line approved by the Trustees on February 6, 1970, in a canal which the staff was convinced was artificially created quite a number of years ago on uplands. The Director said the alternative to the sale might be a suit to quiet title, and the staff recommended advertisement for objections.

The biological survey report stated that the proposed purchase area appeared to be a draglined canal extending off Bowlees Creek, and that the "inland lagoon" had definite value to marine life.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized advertisement of the parcel for objections only.

GADSDEN COUNTY - Water Line Easement. Mr. Jack Peacock requested permission to connect a water line to the Gadsden County State Farmers' Market water line to serve his residence and that of his mother and sister. The City of Quincy will place a meter on the line to serve the applicants.

The Department of Agriculture and Consumer Services has no objection to the easement which will be 6 feet wide and approximately 632 feet long adjacent to the east property line of the market property.

On motion by Mr. Faircloth, seconded by Mr. Williams and Mr. Dickinson, adopted without objection, the Trustees authorized issuance of a permit granting the water line easement subject to revocation by the Board after thirty days' notice in the event an adequate supply of water is not available for market use as a result of the water line connection.

DADE COUNTY - Lease Assignment.
On motion by Mr. Christian, seconded by Mr.Dickinson and adopted without objection, the Trustees approved the assignment of Campsite Lease No. 2390 from Murl R. Magers to H. Earl Smalley, executed copy of assignment having been filed in the Trustees' Office.

ESCAMBIA COUNTY - Utility Permit, Section 253.03(7) F. S.
On motion by Mr. Dickinson, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of a permit for $100 processing fee to Southern Bell Telephone and Telegraph Company to lay a telephone cable on the bottom of the Intracoastal Waterway in Sections 14 and 26, Township 3 South, Range 33 West, Escambia County.

GLADES COUNTY - Dredge Permit, Section 253.123 Florida Statutes. Deferred by the Trustees on May 19 and placed on the agenda again this week was the application from H. E. Walker for a permit to dredge Turkey Creek, a tributary of the Caloosahatchee River in Section 26, Township 42 South, Range 30 East, Glades County, for drainage and access to the river. The material removed from the

creek would be placed on applicant's upland.

The biological report was adverse, and staff recommended approval subject to removal of the dam located in old abandoned Caloosahatchee River bed as requested in the biological report.

Mr. Adams raised further questions on this application, stating that the applicant had already received an award for property needed by Central and Southern Florida Flood Control District that in effect took the applicant's riparian rights, that now the applicant makes a request to change the control structure. Mr. Adams felt that the small feeder streams should be protected and called attention to adverse remarks of the Game and Fresh Water Fish Commission.

Mr. Adams made a motion, seconded by Mr. Faircloth, that the application be denied.

Mr. Apthorp explained that in event of denial, the Flood Control District would place the structure in the lower end and cut off the oxbow and creek from contributing to the Caloosahatchee River, that the District's powers were broad in construction of such structures, and he indicated that he would like to discuss the matter further with Mr. Adams' staff.

Without objection, the Trustees deferred action for a week.

INDIAN RIVER COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b), File 565.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved application of Southern Bell Telephone and Telegraph Company for a permit to install a submarine telephone cable in the Indian River in Sections 26-28, Township 31 South, Range 39 East, Indian River County, for which $100 processing fee was tendered and the biological report was not adverse.

LEE COUNTY - Seawall and Backfill, Section 253.03 F. S., SAJSP Permit 70-196.

William O. Clark requested permit for a seawall and backfill along the foreshore of the Caloosahatchee River (FCD Canal C-43) in Section 19, Township 43 South, Range 27 East, Lee County, above the normal high water line of the Caloosahatchee River (FCD C-43) - however, it will be affected by the impoundment of water. Central and Southern Florida Flood Control District by letter had waived objection to the project which would prevent erosion and loss of upland and reduce turbidity in the area.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

MONROE COUNTY - Dredge to Improve Navigation and Fill Permit to place a breakwater on submerged lands heretofore conveyed; Section 253.03 Florida Statutes. Elizabeth Tobi, represented by James T. Glass and William R. Roberts, applied for a permit to dredge a navigation channel 50 ft. wide, 5 ft. deep and 850 ft. long on sovereignty land, and to dredge a channel 100 ft. wide, 15 ft. deep and 700 ft. long on submerged land heretofore conveyed. Also, permit was requested to construct a 50 ft. wide, 3 ft. high, 600 ft. long breakwater on submerged land heretofore conveyed under

Trustees Deed No. 22806.

The biological report recommended reduction in dimensions of the channel proposed to be dredgedon the conveyed land and applicant was requested to make the recommended adjustment, but did not comply. Staff recommended denial of the application.

Motion was made by Mr. Faircloth, seconded by Mr. Christian, that the application be denied.

At this point, Mr. Roberts, attorney, asked to be heard. He explained that in representing various applicants from Monroe County during the last two years, he had tried to work out adjustments to minimize biological damage; but in this instance there was no basis for compromise as the applicant desired the 100 ft. wide channel. That channel and the breakwater would be on her own property purchased prior to the moratorium, and the Trustees were asked to allow the dredging as proposed. Mr. Roberts said there would still be some property purchased by the applicant but remaining outside the breakwater.

Mr. Adams, commenting that for all practical purposes the land the applicant owned but would leave outside the breakwater would be available for public use, suggested that the applicant deed that land back to the state. Mr. Roberts thought his client would be willing to consider that suggestion, whereupon Mr. Christian said he recommended denial and working out a proposal.

A substitute motion made by Mr. Faircloth, seconded by Mr. Christian and adopted, was to defer action for a week.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S., Deed No. 21739(18-44), File 176.

Howard J. Ward, represented by Fred A. Bee, applied for a permit to dredge a navigation channel extension 5 ft. deep, 500 ft. long, 40 ft. wide, adjacent to Section 11, Township 66 South, Range 32 East, in Hawk Channel, Monroe County. Applicant tendered check for $370.40 as payment for 3,704 cubic yards of material to be removed and placed on 0.68 acre parcel of submerged land previously conveyed. The existing channel was authorized under SAJSP Permit 65-241 prior to the requirement for a state permit.

The applicant had amended the application as recommended by the biological survey report, and staff recommended approval.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees approved issuance of the dredge and fill permit as recommended by the staff.

SARASOTA COUNTY - Dredge Permit to Improve Navigation, Section 253.123, Florida Statutes.

I. Z. Mann, Bay Harbour Apartments, applied for dredge permit to connect an existing 80 ft. wide channel to Sarasota Bay in Section 22, Township 36 South, Range 17 East, Sarasota County. Approximately 90 cubic yards of material will be removed and placed on upland property. The Town of Longboat Key approved the application on April 15, 1970.

The biological report was not adverse, and staff recommended approval.

On motion by Mr. Christian and Mr. Conner, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the dredge permit.

OSCEOLA-POLK COUNTIES - Dredging to Improve Navigation, Sec. 253.03. In January, 1968, Exotica Gardens, represented by Robert S. Edwards, attorney, began work without a state permit to widen an existing canal in Section 19, Township 28 South, Range 29 East, in Lake Hatchineha in Osceola and Polk Counties. Applicant immediately complied with request to stop work and apply for after-the-fact permit.

The Game and Fresh Water Fish Commission had reported that in addition to placing material on lake bottoms, 57 cypress trees on state-owned land had been cut down. However, field inspection and topographic survey based on the 52.6 upper lake stage regulations adopted by Central and Southern Florida Flood Control District indicated that the majority of the trees were landward of this elevation and were on the applicant's upland property. Some material had been placed on lake bottoms. On September 20, 1968, the Florida Game and Fresh Water Fish Commission reported favorably on issuance of permit subject to standard stipulations as to dredging.

All of the land in the project is dry due to the annual drawdown of the water level by the Flood Control District in carrying out its lake stage regulation program. (Lake stage regulation high 52.6'; low 48.5'; at time of survey lake was at 49.10'.) Construction across the exposed lake bottom will do little damage to biological resources.

Applicant offered $200 as payment for any biological damage that might have occurred and for 533 cubic yards of material removed from an area 15 ft. wide, 240 ft. long and 5 ft. deep conterminous to and southerly of the existing channel. All material to be removed from this project area, including that placed on state lake bottom land, will be placed on applicant's upland.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the after-the-fact permit.

POLK COUNTY - Dredge Permit to Improve Navigation and Upland. Section 253.123 Florida Statutes.
C. A. Hatchett, represented by W. A. Read, Jr., made application to remove 13,000 cubic yards from Crooked Lake in Section 23, Township 31 South, Range 27 East, and tendered check for $1,300 as payment for the material. He proposed to place the material on lands that he considers his upland but are lakeward of the ordinary high water line as determined by E. W. Bishop.

Staff recommended denial because (1) the project violates the terms of the resolutions adopted by the Trustees on January 20 and February 3, 1970, and (2) the Department of Air and Water Pollution Control is opposed to the project that will increase turbidity and suspend silt in the lake.

On motion by Mr. Christian, adopted without objection, the Trustees denied the application for dredge permit.

OKALOOSA COUNTY - Commercial Dock, Section 253.03 Florida Statutes. On motion by Mr. Dickinson, seconded by Mr. Adams and adopted

without objection, the Trustees approved the application of Gene H. Knox for permit to construct a dock along the south shore of Santa Rosa Sound west of Brooks Bridge (U. S. Highway 98) in Township 2 South, Range 24 West, Santa Rosa Island in Okaloosa County, for which all required exhibits and $100 processing fee were submitted.

LAKES POLICY - The staff requested authority to decline to accept any applications affecting fresh water lakes unless it could be shown that they were in the public interest consistent with the resolutions adopted January 20 and February 3, 1970. A number of people had suggested that the staff automatically reject applications in lakes, but some applicant might demand a hearing by the Board and might be entitled to that.

Mr. Faircloth said the resolution adopted on this date was precisely what was done in January and February as to lakes. He thought the staff needed some direction, should have some latitude in accepting applications and recommending to the Board whether they were in the public interest as with other submerged lands.

Mr. Adams suggested that no action was needed to decline to accept applications, that the criteria for other submerged lands would be followed. He mentioned that one of the resolutions expressed the aim of maintaining drinking water quality in lakes which didn't exist in many instances, that channels were often needed, and if lakes were to be treated separately from other submerged land there was need to try to synthesize the two resolutions and formulate a reasonable basic policy relating to lakes.

Mr. Apthorp advised the Trustees that the ladies who had sponsored the lakes resolution had requested Congress and the President to set aside a Lake Week.

BREVARD COUNTY - The Director had advised the members that the staff would have a recommendation for consideration on June 9 on the request of Brevard County for a dredge and fill permit for a causeway connection to a bridge that was already constructed on the north-south highway. However, County Commissioner Lori Wilson and others were present on this date and asked to be heard.

Mrs. Wilson explained something of the background of the situation where the Trustees in 1968 during the moratorium, at the urging of Brevard County, had sold submerged land and granted dredge and fill permits to an upland owner who was going to fill a public road. She said the developer had not kept its covenant with the Trustees and the County Commissioners and the county had now rescinded its approval of the dredge and fill permit, had requested an investigation by the Trustees, and requested revocation of the Hampton Homes dredge and fill permit and that the county be given a fill permit to use material from the designated area to get on with the job of connecting the bridge to the highway.

Mr. Robert L. Nabors, county attorney, referred to the fact-finding hearing on March 20, said that the county was now in a position and desired its own separate dredge and fill permit to fill the right of way to connect the bridge, and he did not think the two things (Hampton Homes permit and county permit) had to be closely tied together.

Mr. Adams commented that the staff would bring a recommendation to the Trustees when a borrow area had been relocated. Mr. Dickinson and Mr. Christian expressed approval of the county's going

ahead with connection of the bridge and indicated favorable consideration by the Trustees when the staff recommendation was made.

The Director said the state would work out the borrow area for the dredge permit, but that the Hampton Homes matter might not be ready next week as the hearing transcript was lengthy and staff counsel had not completed the recommendation.

SUBJECTS UNDER CHAPTER 18296

On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees considered Murphy Act Report No. 967 and authorized issuance of County of Hillsborough Deed No. 2518-Corrective to Corine H. Stewart in lieu of the original Murphy Act deed of that number dated June 24, 1943, to C. N. Sells, deceased, for the purpose of correcting the name of the grantee.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
June 9, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in Senate Hearing Room 31 with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Floyd T. Christian	Commissioner of Education
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

The minutes of the meeting of May 26 were approved as submitted.

MONROE COUNTY - File No. 2304-44-253.12, Land Sale Denied. On April 14, 1970, the Trustees considered application from Robert O. Reinert to purchase a parcel of sovereignty land containing 0.24 acre, more or less, in the Atlantic Ocean abutting Section 6,

Township 64 South, Range 37 East, Upper Matecumbe Key, Monroe County. Notice of sale was published in the Key West Citizen, proof of publication filed and no objections received. Applicant offered the appraised value. The appraisal had not been completed.

Applicant desired to fill the parcel in the belief that the work would eliminate a stagnant pocket. The area was primarily a dredge area, sovereignty land on each side had been sold, and one of the adjacent parcels had been filled. Applicant was applying for a navigation channel, and spoil from the channel would be placed on the parcel applied for by Mr. Reinert.

The Director said that under the new policy (the resolution adopted last week) the staff could not say that the sale would be in the public interest and recommended denial.

Mr. William J. Roberts, attorney, presenting a showing of the public interest involved in his client's application, stressed the existence of a debris-catching pocket in the area resulting from the adjacent prior sale and fill and pointed out that parcels on the other side had been sold out to the line established for five adjacent sales.

However, Mr. Adams said that on only one side had the conveyed land been filled, that to allow sale and fill of the application parcel would mean that the same pocket-condition would then exist on the next parcel, and so on down the shoreline.

The Director stated that the policy did not take into account adjacent or prior sales but that any sale after the June 2 adoption date must be in the public interest. As the biological report showed that selling, dredging and spoiling of the subject parcel would have definite adverse effects on productive marine habitat in the remaining undredged area, the staff could not say that the sale was in the public interest.

Attorney General Faircloth, noting that Mr. Roberts argued that the sale would be in the public interest whereas the staff held the opposite view, asked the staff to begin work on standards or check points by which applications might be measured as being in the public interest or not. He said it would be clear to determine the public interest, for instance, if the land was needed immediately for a state park.

The Director thought the burden should be on the applicant to show that the proposal was in the public interest. In this case the staff of the Trustees and the Natural Resources Department had reviewed the application and it appeared that the applicant's presentation did not override the adverse biological report. Mr. Apthorp said the staff would try to prepare something more definitive.

Without objection, the Trustees approved the staff recommendation and denied sale of the parcel of land.

PALM BEACH COUNTY - File No. 2310-50-253.12, Application to be Advertised. Paul Maddock, represented by Owen H. Libby, Jr., offered the appraised value for purchase of a parcel of sovereignty land in Lake Worth abutting Government Lot 6, Section 3, Township 45 South, Range 43 East, 0.123 acre in the Town of Lantana, Palm Beach County. The applicant desired to improve the foreshore by construction of a seawall to connect with an existing seawall and prevent erosion of uplands. The parcel did not extend out to the established bulkhead line.

The biological survey report stated that the small fill project should not have significant adverse effects on marine biological resources. The Area Planning Board of Palm Beach County had no objection to the sale and fill of the parcel.

The Director said the staff recognized the application as being in the public interest, that an erosion condition existed that might be stabilized by the proposed work.

Motion was made by Mr. Dickinson that the parcel be advertised. The Attorney General seconded the motion but noted that it would be the first step in a sale and the staff should show on the agenda what the recommendation would be as to the public interest. The Director explained that when the staff recommended advertisement they intended to recommend the sale unless valid objections were received as a result of the advertisement. Mr. Faircloth added that advertising did not mean an automatic approval of sale. The motion to advertise for objections only was adopted.

PALM BEACH COUNTY - File No. 2311-50-253.12, Application to be Advertised. William E. Benjamin II, represented by Owen H. Libby, Jr., applied to purchase a parcel of sovereignty land in Lake Worth abutting Government Lot 6, Section 3, Township 45 South, Range 43 East, 0.412 acre in the Town of Lantana, Palm Beach County. Applicant offered to pay the appraised value for the parcel, for the purpose of constructing a seawall and backfilling to connect with a proposed seawall and to prevent erosion of uplands. The parcel did not extend out to the established bulkhead line.

The biological report stated that the small fill project should not have significant adverse effects on marine biological resources. The Area Planning Board of Palm Beach County had no objection to the sale and fill of the parcel.

The staff recognized the application as being in the public interest, as an erosion condition existed that might be stabilized by the proposed work.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted, the Trustees authorized advertisement for objections only.

DADE AND MONROE COUNTIES - Channel Easement, File No. 2342-13 and 44-253.03. The Central and Southern Florida Flood Control District applied for an easement for construction of Canal C-108 embracing approximately 7 acres of sovereignty land in Barnes Sound abutting Section 14, Township 59 South, Range 39 East, Dade and Monroe Counties. After an adverse biological report the project was modified to involve an estimated 4 acres of submerged land only.

On motion by Mr. Christian, seconded by Mr. Conner and Mr. Adams, and adopted without objection, the Trustees authorized issuance of easement for the project as modified.

VOLUSIA COUNTY - Quitclaim Deed, File 2343-64-253.12(6). George J. Pandapas and Caliope G. Pandapas, represented by Paul E. Raymond and Senator Frederick B. Karl, requested a quitclaim deed to a parcel of land embracing 1.75 acres in Government Lots 2 and 3 lying west of John Anderson Highway in Section 3, Township 14 South, Range 32 East, Volusia County, in order to clear title to the parcel. Lands in the area were sold by the Trustees prior to

1957 for $200 per acre. Staff recommended approval for processing fee of $100 and a consideration of $350 for the parcel.

On motion by Mr.Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the quitclaim deed as recommended by the staff.

LEON COUNTY - Easement. Southeastern Telephone Company, Tallahassee, Florida, requested an easement covering the Florida State University main campus, dairy farm, alumni village and trailer park for the purpose of providing and maintaining telephone and communications service to the university.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees authorized issuance of the easement that had been approved by the general counsel of the State Department of Education and approved by the Board of Regents on May 4, 1970.

MONROE COUNTY - Transfer of Land. The Board of Public Instruction of Monroe County requested the Division of Recreation and Parks, Department of Natural Resources, to make available a 29.3 acre tract within the John Pennekamp Coral Reef State Park described as Lots 1, 2, 6, 7 and 8, lying southeasterly of the F. E. C. Railroad right of way in Section 12, Township 61 South, Range 39 East, for public school purposes. The former Park Board at its meeting on January 19, 1969, approved the request in view of Monroe County having contributed land at no cost to the state for Bahia Honda and Long Key State Parks.

The tract was acquired from J. G. McKay, Jr., as Trustee of the El Radabob Liquidation Trust, with a restriction that the land must be used for public park purposes. Mr. McKay as Trustee had advised that he would release the 29.3 acres from the use restriction on condition that the deed to the Board of Public Instruction of Monroe County contain a public school purpose clause.

By resolution adopted on May 26, 1970, Monroe County waived objection to the transfer.

Transfer of the land was approved on this date by the Department of Natural Resources.

On motion by Mr. Williams, seconded by Mr. Christian and adopted without objection, the Trustees approved the request and authorized transfer of the 29.3 acres to the Board of Public Instruction of Monroe County for public school purposes only.

LEVY COUNTY - Aquaculture Lease. Pursuant to advertisement authorized by the Trustees on April 1, published in the Chiefland Citizen, the Trustees considered on this date a sealed bid for an aquaculture lease of 101 acres of submerged land at five sites in the Gulf of Mexico near Cedar Key, Florida, for cultivating oysters. The lease was offered for a term of 1½ years subject to renewal for additional 10-year periods upon agreement of both parties, the bidding consideration to be the highest annual rental offered with a minimum annual rental of $3 per acre for first 1½ years, $5 per acre for 1½ through 5 years, $10 per acre for 6 through 10 years, plus a royalty to be assessed after the first 1½ years' operation. The successful bidder would be required to furnish a performance bond of $50,000 and written consent of the upland riparian owners, all within 10 days after award of the lease.

No objections were received during the period of advertisement. One bid was received, from International Oceanographic Corporation, offering for the total 101 acres a bid of $4 per acre and an additional $5 for each year for each acre under cultivation plus a royalty of 2% of gross income, for the next 1½ to 5 years $6 per acre plus $10 per acre for each acre under cultivation plus the same royalty, for the next 6 to 7 years $10 per acre plus $15 per acre for each acre under cultivation plus the same royalty, and for the next 8 to 10 year period $12 per acre plus $20 for each acre under cultivation plus the same royalty of 2% of gross income. Check for $490 was tendered as advance payment for the first 1½ years' rental by Barrett G. Johnson for the corporation.

Mr. Apthorp recommended acceptance of the rental and bonus but no action at this time on the royalty.

Motion was made by Mr. Conner, seconded by Mr. Williams, that the recommendation be accepted. Discussion followed as to the absence of a basis for deciding on the royalty to be required and whether 1½ years was the proper time to begin receiving a royalty on production.

Wilton R. Miller, attorney representing the corporation, understood the recommendation but hoped the royalty could be decided before execution of the lease, and would like an opportunity to discuss the matter with the Director and the Trustees. The Director said he would make a recommendation to the Board on the royalty.

On the motion by Mr. Conner, seconded by Mr. Williams, the Trustees accepted the bid of International Oceanographic Corporation as to the rental and bonus, leaving open for the present the details as to royalty.

ST. LUCIE COUNTY - Erosion District.
Ralph B. Wilson, County Attorney of St. Lucie County, on behalf of St. Lucie County Erosion District, requested that the Trustees assure the United States Corps of Engineers that lands within the project would remain in public ownership during the life of the project.

On motion by Mr. Dickinson, seconded by Mr.Adams and adopted without objection, the Trustees withdrew all lands from sale, lease or other use that would conflict with the beach nourishment project on a 6,800 foot strip of Atlantic beach lying south of the jetty extending southerly along Hutchinson Island in St. Lucie County.

MONROE COUNTY - Fill Permit, Section 253.03 Florida Statutes.
Donald Hawley, president of Central Keys Marine Corporation, represented by Bailey, Mooney, Post Associates, Inc., applied for a fill permit for submerged land in Florida Bay in Section 28, Township 63 South, Range 37 East, acquired under Trustees Deed No. 21694 dated December 12, 1957, and Deed No. 21412 dated November 2, 1956, to complete construction of the enclosure of a yacht basin. Fill material would come from other sources.

The project was started without a permit, applicant was stopped by the Trustees' office on December 11, 1968, and requested to file for a permit, and the application for a permit on the agenda February 25, 1969, was removed by the Trustees' action. The biological report stated that the filling was not in the best interest of conservation.

The staff recommended issuance of partial after-the-fact permit for completion of the work. Mr. Dickinson commented that the applicant had acted in good faith to stop work and apply for a permit. Mr. Adams noted that the penalty policy was adopted after the permit was applied for by this applicant.

On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized issuance of the fill permit.

BREVARD COUNTY - Dredge and Fill Permit. On motion by Mr. Adams, seconded by Mr.Faircloth and adopted without objection, the Trustees approved the application from Canaveral Port Authority for a permit to dredge a new turning basin and to fill in an area previously filled in Section 10, Township 24 South, Range 37 East, in the Banana River, Brevard County. The biological survey report was not adverse.

GLADES COUNTY - Dredge Permit, Section 253.123 Florida Statutes. The application from H. E. Walker, deferred on May 19 and June 2, was again presented for consideration with staff recommendation for approval of the dredge permit subject to removal of the dam located in old abandoned Caloosahatchee River bed between Turkey Creek and the sand company canal as requested in the biological report. The Director said that the applicant was present to answer any questions the members might have.

Motion was made by Mr. Christian, seconded by Mr. Faircloth, that the recommendation of the staff be accepted.

Mr. Adams questioned the width of 75 ft. requested instead of the usual 50 ft. width for navigation channels. The Director advised that the width was determined in this case by the water flow rather than navigation. Mr. Adams expressed other objections based on the biological and Flood Control District recommendations, and was assured by the Director that the applicant had not done work in the creek or river without a permit.

The motion by Mr. Christian, seconded by Mr. Faircloth, for approval of the application as recommended by the staff was adopted on a vote of five to two, with Mr. Adams and Governor Kirk voting "No."

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S. Presented for further consideration was the application of Elizabeth Tobi, represented by William J. Roberts, deferred last week, for a permit to dredge to improve navigation and to place a breakwater on submerged land heretofore conveyed under Trustees Deed No. 22806. In accordance with the Trustees' suggestion the applicant agreed to reconvey to the Trustees 1.35 acres of submerged land seaward of the breakwater provided she be allowed to construct the breakwater 75 feet seaward of her upland and to maintain the proposed depth of 15 feet in the boat basin. Staff recommended approval of the application, issuance of permit to be conditioned upon receipt of deed to the land to be reconveyed to the Trustees.

On motion by Mr. Dickinson, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application on the condition recommended by the staff.

MONROE COUNTY - Dredge and Fill Permit, Section 253.03 F. S. Joseph G. Moretti, Inc., represented by James T. Glass, applied

for a permit to remove 8,800 cubic yards of material from a navigation channel constructed on sovereignty land in Section 22, Township 62 South, Range 38 East, in Florida Bay, Monroe County. Applicant tendered check for $880 as payment for the material to be removed and placed on 8.5 acres, more or less, of submerged land acquired when he exchanged 7.5 acres of upland and reconveyed 100 acres, more or less, within an erroneous meander line.

The biological report was adverse.

On motion by Mr. Adams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved the application for dredge and fill permit as recommended by the staff.

OKALOOSA COUNTY - Dredge Permit to Improve Navigation, Section 253.123 Florida Statutes. On motion by Mr. Dickinson and Mr. Conner, seconded by Mr. Christian, the Trustees approved the application from Indian Springs, Inc., for a permit to perform maintenance dredging in an existing channel in Section 15, Township 2 South, Range 25 West, Santa Rosa Sound in Okaloosa County. The material would be placed on applicant's upland, and the biological report was not adverse.

OSCEOLA COUNTY - Dredge Permit to Improve Upland, Section 253.123 F.S. Thomas L. Rebik applied for permission to remove 2,000 cubic yards of material to fill upland property, and tendered check for $200 for the material to be removed from East Lake Tohopekaliga in Section 28, Township 25 South, Range 30 East, Osceola County.

The biological report was adverse and recommended denial of the permit. Staff recommended denial based on that report and the project not being in the public interest. Mr. Conner so moved.

Mr. Adams noted that the biological report indicated that certain modifications of the plan would eliminate the objections. He suggested that the applicant be given an opportunity to comply.

Mr. Conner withdrew his motion to deny the permit and the matter was deferred pending receipt of further word from the applicant.

LEE COUNTY - Commercial Dock Permit Time Extension.
On motion by Mr. Faircloth, seconded by Mr. Christian and adopted without objection, the Trustees granted request of the Department of the Army Coastal Engineering Research Center for 210-day extension to perform under State Commercial Dock Permit No. CD-1651 issued March 3, 1970, made necessary because unavailability of test piling had delayed construction of the test facility.

PALM BEACH COUNTY - Commercial Dock Permit, Section 253.03 F. S.
On motion by Mr. Christian, seconded by Mr. Conner and adopted without objection, the Trustees approved the application from MGIC of Florida, Inc., represented by Charles McClure, attorney for permission to construct a dock in Lake Worth adjacent to applicant's upland property in Section 27, Township 43 South, Range 43 East, Palm Beach County, for which all required exhibits and $100 processing fee had been submitted.

LEASE INCOME REPORT - The Trustees accepted for the record the report of remittances to Florida Department of Natural Resources

from holders of dead shell leases, as follows:

Lease No.	Name of Company	Amount
1718	Radcliff Materials, Inc.	$12,784.79
2233	Bay Dredging & Construction Co.	5,651.08

SUBJECTS UNDER CHAPTER 18296

HILLSBOROUGH COUNTY - Murphy Act Deed No. 5126.
J. L. Weaver on behalf of Wayne Thomas, Inc., a Florida corporation made application to purchase the state's reserved interest of 50% of the oil and gas and 75% of the other minerals and fissionable materials in one acre of land in Section 11, Township 30 South, Range 20 East, Hillsborough County, conveyed in Hillsborough County Murphy Act Deed No. 5126 dated January 15, 1960.

A value of $15 for the oil and gas and $381.15 for the other minerals had been determined by Dr. R. O. Vernon, State Geologist. Staff recommended sale of the reserved interest.

On motion by Mr. Dickinson, seconded by Mr. Adams and adopted without objection, the Trustees authorized sale of the state's reserved interest in the oil, gas and other minerals for a total of $396.15.

On motion duly adopted, the meeting was adjourned.

GOVERNOR CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

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Tallahassee, Florida
June 16, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in Senate Hearing Room 31 with the following members present:

Tom Adams	Secretary of State, Acting Chairman
Earl Faircloth	Attorney General
Fred O. Dickinson, Jr.	Comptroller
Floyd T. Christian	Commissioner of Education

James W. Apthorp — Executive Director

The minutes of the meeting of June 2 were approved as submitted.

6-16-70

Before consideration of the agenda was begun, the Secretary of State brought up a reported trespass on state sovereignty land in Collier County near Vanderbilt Beach and the Wiggins Pass area. The members of the Board were aware of growing concern regarding what might be a sizable trespass and asked for a brief report that would let the public know how the matter was being investigated.

Mr. Apthorp said the Trustees had a field representative on the site on three occasions to gather information, that a survey by a private surveyor was being made, and the staff had asked for and received cooperation of the State Attorney in pursuing the matter under the Trustees' policy of March 10 authorizing the staff to contact the various State Attorneys for assistance in prosecuting trespassers on state lands in accordance with the provisions of Section 253.03 Florida Statutes. The field investigator had turned over all the information gathered to the State Attorney who would be furnished the surveyor's information also, by the end of this week. The Director advised that accusations had been made of him and the staff by a certain party, who apparently was not present today, but that the matter was being pursued diligently.

Mr. Adams expressed the opinion that the Trustees expected action toward investigating anything of this nature, and as soon as it was determined that there had been a trespass some legal action would be taken.

VOLUSIA COUNTY - Bulkhead Line.
At the request of the applicant, the staff recommended deferment for an indefinite time of consideration of a bulkhead line along the south side of Port Orange Causeway in the Halifax River in Volusia County, on which the biological survey report was adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the recommendation was accepted.

PINELLAS COUNTY - Bulkhead Line.
The Pinellas County Water and Navigation Control Authority on April 28, 1970, considered a bulkhead line 2,015.83 feet long in Clearwater Harbor south of State Road 60 (Memorial Highway) in Section 16, Township 29 South, Range 15 East, Pinellas County, and recommended denial by the Trustees. There were objections at the local hearing and the biological survey report by the Department of Natural Resources was adverse.

The staff recommended that the proposed bulkhead line be denied. Mr. Apthorp said the City of Clearwater had requested deferment until it could take the matter up with the county again, that denial would be without prejudice, and that if the line is revised it might be considered. Mr. Adams commented that any modification had to emanate from the local authority.

On motion by Mr. Christian, adopted without objection, the Trustees accepted the recommendation for denial of the bulkhead line, confirming the action of Pinellas County Water and Navigation Control Authority.

SARASOTA COUNTY - Bulkhead Line.
The Sarasota County Water and Navigation Control Authority relocated the bulkhead line in Roberts Bay adjacent to Section 1, Township 37 South, Range 17 East, Sarasota County, on October 10, 1968.

The line originally proposed in the early part of 1966 was located at the limits of Siesta Beach Subdivision. The line now proposed had been drawn back approximately 100 feet and would allow construction of a platted road as shown on plat of Siesta Beach Subdivision, Plat Book 1, Page 167.

Sarasota County Resolution No. 70-65 dated March 31, 1970, requested dedication of a portion of the submerged area landward of the bulkhead line for road right of way purposes. In connection therewith a bulkhead line should be established to allow the filling to construct the platted road. The county resolution indicated that the road construction was in the public interest and necessary to provide access for property owners in the subdivision.

Objections were filed and on June 2 the Trustees deferred action. The biological survey report was adverse, but the line approximately 550 feet long would affect only a very minor area of Roberts Bay in which the remainder of the bulkhead lines were set approximately at the mean high water line.

The staff recommended approval of the line. The Director on this date said that the objections had now been withdrawn.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved the bulkhead line as relocated by Sarasota County on October 10, 1968.

In connection with the bulkhead line, staff recommended approval of the request of the Board of County Commissioners for dedication of sovereignty land for public right of way and approval of fill permit for the dedicated street. No dredging of sovereignty land was contemplated in construction of the road. An objection had been withdrawn.

Motion was made by Mr. Christian, seconded by Mr.Dickinson and adopted without objection, that the dedication and fill permit be approved. However, since five approving votes were required for disposition of land, the Director said the dedication would be placed on the agenda again next week.

DADE COUNTY - File No. 2144-13-253.12, Application for Sale. Eugene N. Bechamps, on behalf of Key Biscayne Yacht Club, requested further consideration of sale of 0.16 acre in Canal Haciendo proposed to be filled and a permit for docks in the remainder of the canal. On January 13 the Board postponed action pending receipt of an appraisal and a report on advisability of the sale. The staff appraiser determined valuation for the entire parcel at $1,850 and for the 0.16 acre parcel at $400.

The Dade County Building and Zoning Department advised that the canal was not zoned for any particular use, and in the event it was acquired the owner would have to apply for appropriate zoning. The vacant lot owned by the Yacht Club on the south side of the canal was zoned single family residential.

The Yacht Club invited objectors to a meeting on May 18 to apprise them of the club's plans, but there had been no apparent change in the number of objections to the proposed sale. The biological report submitted on October 21, 1968, is adverse. To date the applicant has not shown that the sale is in the public interest. On the printed agenda the staff had recommended denial of the sale, but on this date the Director asked for deferral. Interested parties were present who did not object to deferment.

Mr. Adams pointed out that the Legislature and the Trustees both had shifted the basis of consideration of a sale to whether it was in the public interest, that this placed on applicants the burden of proving the public benefit to be served by a sale. Mr. Adams was assured by the Director that the staff notified an applicant before placing an application on the agenda, of the new concept and the proposed staff recommendation so that he might have an opportunity to add information to the presentation to meet the new policy.

Without objection, the Trustees deferred consideration of the sale.

Mr. Raymond Turner objected to sale and filling of the canal on behalf of himself and the owner of property immediately adjacent to the land sought for purchase. He asked that notice of the next hearing be furnished to the adjacent owners and that legal action be taken to remove a fence that obstructs public access to the canal.

Mr. Adams said that objectors would be notified, and that the matter could not be settled today because there were not five members present. Mr. Christian added that the recommendation was to deny the sale.

TECHNICAL ADVISORY COMMITTEE ON FRESH WATER LAKES MANAGEMENT. The Chairman of the Technical Advisory Committee on Fresh Water Lakes Management requested authority to expand the scope of the committee's investigation to include not only reclaimed lake bottom lands but also similar matters affecting all fresh water lakes, meandered or not. The policy adopted January 20 was aimed only at lakes that have been permanently lowered. However, at the first committee meeting it was decided that it was appropriate to determine methods for locating high water lines of all lakes.

Also, the committee desired to know whether the policy adopted on June 2 requiring sales of sovereignty lands to be in the public interest applies to reclaimed lake bottom lands. The January 20 policy applying to reclaimed lake bottom lands states, in part: "The Board . . . may sell . . . reclaimed lake bottoms if not determined by the Trustees to be contrary to the public interest. Each application for the purchase of reclaimed lake bottom lands should be considered on its own merits to determine whether the lands should be disposed of."

On motion made by Mr. Christian and adopted without objection, the Trustees authorized the committee's investigation to include all fresh water lakes, meandered or not, and directed that the June 2 policy requiring sales to be in the public interest be applied also to reclaimed lake bottom lands.

Also, the Trustees appointed Mr. Frank Andrews, Consulting Geologist, to the Technical Advisory Committee on Fresh Water Lakes Management in lieu of Mr. A. O. Patterson who had retired.

<u>GLADES COUNTY</u> - File No. 2302-22-253.36. Application for Sale. In view of the above action requiring sales of reclaimed lake bottom lands to be in the public interest, the staff recommended denial of sale of 1.77 acres of reclaimed lake bottom in Lake Okeechobee lying between the 17 ft. contour line and the right of way line of Levee L-50 in unsurveyed Section 24, Township 40 South, Range 32 East, Glades County, between upland owned by the applicant,

S. D. Dewell, and the levee right of way.

The parcel had been advertised, no objections received, and subsequent to the May 5 advertised sale date the Central and Southern Florida Flood Control District advised that additional right of way would not be needed in the area.

Applicant originally offered $475 per acre, then offered to pay the appraised value when determined. However, he objected to the $805 per acre appraisal. Mr. Fred E. Click, representing Mr. Dewell and another applicant, Mr. J. R. Click, presented copies of a prepared statement and briefly reviewed the application made in 1964, acceptance of the price of $475 quoted by the staff three different times, expense and delays through no fault of the applicants, who gave road right of way and agreed to plans of the Flood Control District which told the owners they would be able to purchase the reclaimed lake bottom landward of the levee. He protested the delay since 1964, during which time many other owners in the immediate area had purchased the reclaimed lake bottom between their upland and the levee.

Mrs. Dewell, speaking in behalf of this application, said the upland property had been owned for over fifty years, her parents gave up the lake view for the Flood Control District project and since 1964 the application for the land which she referred to as their "front yard" had been pending.

Explaining the delay, the Director said there had been moratoriums on sale of reclaimed lake bottom lands and a committee appointed which worked on the policy of January 20, then the June 2 policy relating to sales in the public interest was adopted. While he understood the applicants' frustration, he did not think it should change the policy. Mr. Fred Vidzes, staff member, discussed the delays prior to Mr. Apthorp's appointment as director. He said there were problems of erroneous surveys and legal descriptions, no fault of the applicants but difficult to resolve, and earlier land sale moratoriums. Many earlier sales in the area had been made at $475 per acre. The upland owners had the first opportunity to purchase such lands but there was a possibility of their use for a public purpose at some time in the future - and the staff found it difficult to define the term "in the public interest."

Mr. Christian and Mr. Dickinson both questioned why the application was not considered in the public interest under the circumstances explained. The Director felt that there might be some potential public use as the land was adjacent to the levee and had access to a public road. Mr. Adams pointed out that the reclaimed lake land was owned by the state, at one time was part of the lake, that while the applicants were eligible to purchase they had never held title to the land, and that as a sale required five affirmative votes the matter would have to be deferred.

Mr. Dickinson said that government concern is the public, that these applications should be considered not only in the light of fixed rules, that he had great respect for his colleagues and especially the two who had led in taking a stricter look at state lands, but in his mind this was in the public interest and to deny might do a wrong. He said the staff followed the law and the regulations of the Board in making recommendations, but he intended to vote in behalf of these applicants when the matter was again placed on the agenda. Mr. Christian moved for deferral.

Mr. Apthorp was directed to schedule a time when five members would be present and notify Mr. Click that the application would

be presented to the Trustees for final action.

GLADES COUNTY - File No. 2301-22-253.36, Application for Sale. The application of J. R. Click to purchase 4.39 acres of reclaimed Lake Okeechobee bottom land lying between the 17 ft. contour line and the right of way line of Levee L-50 in unsurveyed Section 24, Township 40 South, Range 32 East, Glades County, was considered along with the preceding application in these minutes, the circumstances being similar. The appraised value for this land was reported at $1,367 per acre. This application was also deferred.

MONROE COUNTY - File No. 2309-44-253.12, Application to Advertise. D. R. Gaines, represented by James T. Glass, applied for a parcel of sovereignty land in Florida Bay abutting Section 6, Township 66 South, Range 33 East, Key Vaca, Monroe County, containing 0.87 acre desired for mobile home development according to the original application. There was a change of plans, however, and the staff was advised that a low-income housing development was proposed for the area.

The biological survey report stated that sale and development of the 1.93 acre parcel first applied for would adversely affect marine life and wildlife in the area. Applicant reduced the application parcel and eliminated a mangrove island. Navigation channels were to be placed almost entirely within the area to be purchased.

Staff recommended that the 0.87 acre parcel be advertised for objections only and that appraisal be secured.

On motion by Mr. Faircloth, seconded by Mr.Christian and carried, the staff recommendation was adopted.

DADE COUNTY - Dedication No. 23991.
The City of North Miami was heard on April 7, 1970, with reference to its request for approval of a revocable license for operation of a concession on Spoil Island No. 1, one of the spoil islands in Biscayne Bay dedicated to the city for public park and recreational purposes. Mayor Sheppard Broad of the Town of Bay Harbor Islands opposed the application. For lack of a motion, the Board took no action on the application. The staff had a request from a member of the board to place the application on the agenda again.

Mr. Adams suggested deferment in view of the fact that the Director on May 26 had advised that a report would be presented soon with respect to possible use of spoil islands as a system of marine parks on the east and west coasts of Florida. Mr. Faircloth recalled the previous presentation and saw no reason to hear arguments again.

Mr. Martin D. Kahn, legal counsel of North Miami, commented that the spoil islands had already been dedicated to the city.

Mayor Broad, an objector, said the dedication was conditioned upon the City of North Miami using the land only for public park and recreational purposes and if not used and maintained for said purposes the Trustees might revoke the dedication - and he would be pleased if the spoil islands were returned to the public domain.

Mr. Stanley Goldberg, present on behalf of the Sailing Club Corp., proposed licensee, spoke of the youth recreational program needed by the city and planned under terms of the agreement worked out

and modified as recommended by the Trustees' staff counsel in line with similar license agreements used by the State Park Board, the planning for one and a half years, the protections and approvals to be required from the Trustees and the city in the public interest and the urgent need to be allowed to proceed with the planning on which the Trustees would have the final approval. Mr. Goldberg felt that overall planning for use of spoil islands as aquatic parks might take a long time, thereby holding up North Miami's planned use of the facilities proposed under the license agreement.

Mayor Broad read certain portions of the agreement which he considered objectionable and not in the public interest, however, Mr. Goldberg answered that they were included at the request of the Trustees' staff and were those used by the State Parks Department in their leases (pertaining to the capital investment of the licensee and the reasonable opportunity to make a fair profit).

The Trustees deferred action pending receipt of a report on use of spoil islands expected in a few weeks.

HENDRY COUNTY - Oil and Gas Drilling Lease.
On December 16, 1969, the Trustees and the Board of Education authorized advertisement for sealed bids for a five-year primary term oil and gas drilling lease covering the reserved one-half interest of the Board of Education in the petroleum and petroleum products in the following privately-owned land: SE¼ of NE¼ and S½ of Section 16, Township 43 South, Range 30 East, containing 360 surface acres, more or less, in Hendry County.

The lease would require an annual rental of $1 per net mineral acre, one-eighth royalty, at least one test well every 2½ years, and surety bond of $50,000. Invitation to bid was published in the Tallahassee Democrat and the Hendry County News pursuant to law, bids to be opened at 10 a.m. on this date. The successful bidder was required to pay all advertising costs, and the Board reserved the right to reject any or all bids.

The only bid received was from Louisiana Land and Exploration Company offering a cash consideration or bonus bid of $2,025 and a check for $270 for the first year's rental.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees accepted the bid and authorized issuance of the oil and gas drilling lease to Louisiana Land and Exploration Company.

HENDRY COUNTY - Oil and Gas Drilling Lease.
On January 6, 1970, the Trustees and the Board of Education authorized advertisement for sealed bids for a five-year primary term oil and gas drilling lease covering the reserved one-half interest of the Board of Education in the petroleum and petroleum products in land in the Big Cypress Seminole Indian Reservation described as follows: Section 16, Township 48 South, Range 33 East, containing 640 surface acres, more or less, in Hendry County.

The lease required an annual rental of $1 per net mineral acre, one-eighth royalty, at least one test well every 2½ years, and surety bond of $50,000. Invitation to bid was published in the Tallahassee Democrat and the Hendry County News pursuant to law, bids to be opened at 10 a.m. on this date. The successful bidder

was required to pay all advertising costs, and the Board reserved the right to reject any or all bids.

The only bid received was from Mobil Oil Corporation offering a cash consideration or bonus bid of $4,800 and a check for $320 for the first year's rental.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees accepted the bid and authorized issuance of the oil and gas drilling lease to Mobil Oil Corporation.

HENDRY COUNTY - Oil and Gas Drilling Lease.
On April 28, 1970, the Trustees and the Board of Education authorized advertisement for sealed bids for a five-year primary term oil and gas drilling lease covering the reserved one-half interest of the Board of Education in the petroleum and petroleum products in privately-owned land described as follows: Section 16, Township 46 South, Range 33 East, 640 surface acres, more or less (320 net mineral acres), in Hendry County.

The lease required an annual rental of $1 per net mineral acre, one-eighth royalty, at least one test well every 2½ years, and surety bond of $50,000. Invitation to bid was published in the Tallahassee Democrat and the Hendry County News pursuant to law, bids to be opened at 10 a.m. on this date. The successful bidder was required to pay all advertising costs and the Board reserved the right to reject any or all bids.

The only bid received was from Craig Castle, Oil and Gas Properties, offering a cash consideration or bonus bid of $320 and $320 for the first year's rental.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees accepted the bid and authorized issuance of the oil and gas drilling lease to Craig Castle.

HENDRY COUNTY - Oil and Gas Drilling Lease.
On April 28, 1970, the Trustees authorized advertisement for sealed bids for a five-year primary term oil and gas drilling lease covering the reserved one-half interest of the Trustees in the petroleum and petroleum products in privately-owned land described as follows: E½ of Section 11, W½ and NE¼ of Section 23, Township 46 South, Range 32 East, containing 800 surface acres, more or less, in Hendry County.

The lease required an annual rental of $1 per net mineral acre, one-eighth royalty, at least one test well every 2½ years, and surety bond of $50,000. Invitation to bid was published in the Tallahassee Democrat and the Hendry County News pursuant to law, bids to be opened at 10 a.m. on this date. The successful bidder was required to pay all advertising costs and the Trustees reserved the right to reject any or all bids.

The only bid received was from Craig Castle, Oil and Gas Properties, offering a cash consideration or bonus bid of $400 and $400 for the first year's rental.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees accepted the bid and authorized issuance of the oil and gas drilling lease to Craig Castle.

PASCO COUNTY - Private Campsite Lease.
Connie Lee Williams, Billie P. Williams, Freida F. Williams and Richard F. Williams filed an application in compliance with the policy established on April 7, 1970, for a campsite lease on a one-acre area on which they had a structure offshore in Pasco County that was severely damaged by Hurricane Gladys in October of 1968.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a campsite lease for private purposes on an area not exceeding one acre, at annual rental of $100 per year with option to renew lease for four additional years.

BREVARD COUNTY - Permit No. 253.123-173.
The Brevard County Attorney had requested deferment of consideration of adoption of the recommended order of the hearing officer on Permit No. 253.123-173 to Hampton Homes Corp., permittee. The Director said that while the next agenda item was related, it could be acted on without action on the Hampton Homes permit.

Mr. Adams recalled the understanding and agreements reached initially when the Trustees acted on representations of the local public officials and the corporation. He expressed the opinion that there were moral grounds for rescinding the permit and if action were to be taken today he would make a motion to rescind and let the courts decide on the legality of the grounds.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees deferred consideration of the recommended order at the Director's suggestion.

BREVARD COUNTY - Dredge and Fill Permits, Section 253.123 and Section 253.124 Florida Statutes.
The Brevard County Department of Public Works applied for a dredge permit to excavate 100,000 cubic yards of fill material from Newfound Harbor for construction of the county road through Section 25, Township 24 South, Range 36 East, Brevard County, to connect with a recently constructed bridge over Sykes Creek.

The biological report submitted on November 7, 1967, in conjunction with establishment of the bulkhead line was not adverse to filling. However, the Trustees' staff recommended requirement that culverts be installed at suitable intervals to prevent creation of stagnant ponds landward of the causeway.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permits to Brevard County subject to requirement of culverts as recommended by the staff.

LAKE COUNTY - Without objection, the Director removed from the agenda consideration of a temporary experimental dredge permit to the Florida Game and Fresh Water Fish Commission.

OKALOOSA COUNTY - Fill Permit, Section 253.123 Florida Statutes.
Lt. Col. I. O. Steiner, Ret., and Lt. Col. Louis E. Peckner of Fort Walton Beach, Florida, desired to construct a seawall along the waterward boundary of Lot 472 Block 8 and Lot 219 Block 5, Okaloosa Island Authority property, to prevent further erosion which had

occurred in the past due in large part to tug boats and barges being moved along the Intracoastal Waterway which runs adjacent and parallel to the shoreline. The material required for back-filling would come from upland sources. The ecological study indicated no adverse effects.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the permit.

BREVARD COUNTY - Fill Permit, Section 253.124 Florida Statutes. The Board of County Commissioners of Brevard County issued a fill permit in the Banana River in Section 18, Township 24 South, Range 37 East, subject to Trustees' approval, to the Department of Transportation, for approximately 31.7 acres of submerged land within the ownership of Canaveral Port Authority. As the plan was to add to an existing causeway system (State Road 528, Bennett Causeway), no change in design was requested, but the usual standards for dredging and filling related to water quality would be incorporated in the permit. The biological survey report was adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted without objection, the Trustees authorized issuance of the fill permit.

BREVARD COUNTY - Dredge Permit to Improve Navigation, Section 253.123. Couch Manufacturing Company applied for permit to dredge a turning basin 200 feet square by 4 feet deep in the Indian River adjacent to Section 28, Township 29 South, Range 38 East, to accommodate cargo barges. The applicant tendered check for $320 for 3,200 cubic yards of material to be removed from an area within an aquatic preserve. The material would be placed on upland property, and the biological report was not adverse.

On motion by Mr. Dickinson, seconded by Mr. Christian and adopted, the Trustees authorized issuance of the dredge permit.

COLLIER COUNTY - Dredge Permit to Improve Navigation, Section 253.123. Marco Island Development Corporation applied for permit to connect twenty-four navigation channels to Roberts Bay, Smokehouse Creek and Caxambas Pass in Sections 16, 17, 20 and 21 in Township 53 South, Range 26 East, Collier County. The canals would remain plugged at the mouth until dredging was completed on the upland, to reduce siltation.

Staff recommended approval, as the major portion of the adverse effect referred to in the biological report was occurring under a valid state permit, No. 253.123-51, and the subject permit would be for canal connections from upland into navigable waters.

On motion by Mr. Christian , seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permit.

Mr. Adams asked if the staff was able to supervise such operations, noting that there had been instances where the Installment Land Sales Board approved plats prior to dredge and fill permits having been granted. Mr. Apthorp said progress was being made to make the law and regulations known, that some development companies were discussing their plans at an early stage, and the Installment Land Sales Board had been informed of the situation.

ST. LUCIE COUNTY - Dredge Permit, Amendment to Permit 253.123-190. Florida Power and Light Company made application to dredge Big Mud Creek in Sections 8 and 17, Township 36 South, Range 41 East, to a depth of minus 40 feet, and to remove 700,000 cubic yards of material. Applicant tendered $50 processing fee and $70,000 as payment for the material.

The biological survey report was not adverse. Staff recommended that the spoil area be diked to prevent silt from returning to the water, and that the dredging be done so that the turbidity of the water would not exceed 50 Jackson units.

On motion by Mr. Christian, seconded by Mr. Dickinson and adopted without objection, the Trustees approved issuance of the permit subject to the staff recommendations.

VOLUSIA COUNTY - Dredge Permit to Improve Navigation, Section 253.123, File No. 560.
Wendell B. Merthe applied for a permit to dredge an access channel 50 ft. wide, 3 ft. deep and 200 ft. long in the Halifax River adjacent to Section 5, Township 15 South, Range 33 East, Volusia County, from which the material would be placed on upland property. The biological report was not adverse.

On motion by Mr. Christian, adopted without objection, the Trustees approved issuance of the permit to improve navigation.

DUVAL COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b), File 569.
On motion by Mr. Christian, adopted without objection, the Board approved issuance of a dredge permit to Southern Bell Telephone and Telegraph Company for installing a submarine cable in Pottsburg Creek in Section 52, Township 2 South, Range 27 East, Duval County, for $100 processing fee. The biological report was not adverse.

SARASOTA COUNTY - Commercial Dock Permit, Section 253.03 F. S. Fisherman's Cove, Inc., applied for a permit for construction of docking facilities adjacent to applicant's upland in Little Sarasota Bay in Section 32, Township 37 South, Range 18 East, Sarasota County. No compensation would be received by the applicant for use of the docks which would be for the general use of condominium owners. All required exhibits and $100 processing fee had been furnished.

On motion by Mr. Christian, adopted without objection, the Board authorized issuance of state commercial dock permit.

DUVAL COUNTY - Commercial Dock Permit, Section 253.03 F. S. Eastern Seaboard Petroleum Co., Inc., made application to revise and expand an existing dock facility and to place additional mooring dolphins in the St. Johns River at Block 4, Sand Fly Point Subdivision in Jacksonville, Florida. The existing structure was authorized under Permit CD-415 issued October 18, 1962, and amended Permit CD-415 issued June 2, 1966. All required exhibits and $100 processing fee were submitted and staff recommended approval.

Mr. Adams, questioning why the license-type permit was not used in this instance, was told by the Director that under present policy three types of docks were covered, (1) private docks, (2) commercial docks not principally used for marina operations, and (3) marina-type operations occupying sovereignty land and severing

the sovereignty land and water column from free and unlimited public use and generating profit from the operation. In the latter case, the Trustees on March 10, 1970, adopted a policy of issuing a license upon payment of no less than two cents per square foot annually with each license subject to renewal annually upon receipt of the appropriate fee.

On motion by Mr. Christian, adopted without objection, the Trustees authorized issuance of the commercial dock permit.

RESOLUTION - In the cabinet meeting last week, in the Department of Natural Resources meeting, Mr. Adams had suggested that in the resolution adopted on June 2 it might not have been the intent to include the word "lease", the statutes having recognized oyster leases, for instance. The Attorney General had asked the Director to make a recommendation and on this date Mr. Apthorp had suggested that the word "lease" be omitted from the resolution.

Mr. Faircloth said he would not vote for that but would be willing to modify and provide for short term leases and for aquaculture and oyster leases. Mr. Adams said the staff should work out some specific language for consideration by the Board.

It was so ordered.

TRUSTEES FUNDS - On motion by Mr. Dickinson, seconded and adopted without objection, the Trustees authorized the transfer of $28,000 to the Department of Natural Resources for installation, maintenance and monitoring of tide gauges and bench marks along the coastline, to finance the shoreline survey project through August 1970. Funds for the transfer were available within the approved operating budget.

On motion by Mr. Dickinson, adopted without objection, the Trustees gave authority to write off as uncollectible a loan authorized by the Trustees on October 9, 1962, to the Florida Supreme Court, of up to $15,500, to be repaid by the Court from funds included in their legislative budgets. Of that amount, $9,531 was used for work in the library and $3,992 for repairing leakage in the basement, making a total of $13,523 expended. The Court had requested funds for repayment, however, for several sessions the Legislature had failed to appropriate funds to the Court for the purpose.

On motion by Mr. Dickinson, adopted without objection, the Board also gave authority to write off as uncollectible a remaining balance of $226,125 of the amount of $490,000 expended by the Trustees to purchase the old Caroline Brevard School property in behalf of the State Road Department. In February 1958 the State Road Department had agreed to repay the Trustees with eight annual payments of $76,850 (which included 3% interest), and made five payments. Then the Board of Commissioners of State Institutions assumed responsibility for the final three payments on February 16, 1965. The Board of Commissioners and the Department of General Services had both requested the Legislature to appropriate funds for repayment, without success.

SUBJECTS UNDER CHAPTER 18296

LEVY AND NASSAU COUNTIES - Murphy Act Sales.
Action was deferred on Murphy Act sales reported on Report No. 968

because there were only four members present on this date.

On motion duly adopted, the meeting was adjourned.

SECRETARY OF STATE -
ACTING CHAIRMAN

ATTEST: EXECUTIVE DIRECTOR

* * * * * * * * *

Tallahassee, Florida
June 23, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in Senate Hearing Room 31 with the following members present:

Claude R. Kirk, Jr.	Governor
Tom Adams	Secretary of State
Fred O. Dickinson, Jr.	Comptroller
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

Fred Vidzes — Staff Member

The minutes of the meeting of June 9 were approved as submitted.

BROWARD COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The City of Fort Lauderdale by Ordinance C-70-22 adopted on April 7, 1970, established a bulkhead line 738.49 feet long in the South Fork of New River in Section 9, Township 50 South, Range 42 East, Broward County, following the existing mean high water line as closely as practicable conforming to the platted boundary of lands abutting the river. A seawall was to be constructed at the bulkhead line that would complete seawalling of the entire river in this area. There were no objections to the bulkhead line.

The biological survey report dated February 5, 1970, indicated that the remaining marine life that exists should be preserved and the line set at or near the line of mean high water. A supplemental report dated March 2, 1970, indicated that this is a marginal area with little marine productivity, and that most of the remaining biological values are concentrated within the two proposed channel connections.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted without objection, that the staff recommendation for approval of the bulkhead line be adopted.

ST. LUCIE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of St. Lucie County by Resolution No. 70-38 adopted on May 5, 1970, established a bulkhead line 617.96 feet long on the east shore of the Indian River in Section 2, Township 37 South, Range 41 East, St. Lucie County, following the present mean high water line as nearly as practicable.

The biological survey report by the Department of Natural Resources was adverse. The mangrove referred to had been removed under dredge permit No. 253.123-325 issued by the Trustees on November 2, 1969. The report had been prepared in conjunction with issuance of dredge and fill permits to Iowa Land and General Development Co., Inc., of Delray Beach.

Mr. Adams noted that this bulkhead line and the next one on the agenda were small segments, and the Trustees desired comprehensive bulkhead lines with continuity and not piecemeal lines. Mr. Vidzes explained that St. Lucie County had not been able to provide funds for location of comprehensive lines, that in this instance the lines were at the mean high water and had been traversed with the expense borne by upland owner-applicant. Being in an aquatic preserve the lines could be set at no other place than the mean high water and they complied with all requirements. He mentioned some problems the staff was working on, but not in connection with the bulkhead lines. The staff felt that St. Lucie County had been very conservative generally, in its bulkhead line location.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted without objection, that the bulkhead line adopted May 5, 1970, by St. Lucie County, be approved.

ST. LUCIE COUNTY - Bulkhead Line, Section 253.122 Florida Statutes. The Board of County Commissioners of St. Lucie County by Resolution No. 70-46 adopted on May 26, 1970, established a bulkhead line 1,310.37 feet long in the Indian River adjacent to upland in Section 11, Township 37 South, Range 41 East, St. Lucie County, following the existing mean high water line as closely as practicable, that would accommodate construction of a travel trailer facility.

The biological survey report by the Department of Natural Resources indicated that the area contained red mangroves and Mr.Adams noted that it recommended certain measures to protect them. Mr. Vidzes explained that the line followed the exterior of a mosquito control dike, that the developer proposed to dig the channel on the landward side of the mosquito control ditch and develop on the landward side. The staff believed that would preserve the mangrove fringe. Mr. Adams said that vast areas along the east coast had such mosquito control dikes, that a pattern was being made to have the bulkhead lines follow these works which the staff recommended.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees approved the bulkhead line as located by St. Lucie County on May 26, 1970.

DADE COUNTY - Confirmation of Contract Sale.
On December 17, 1963, the Trustees sold two parcels of sovereignty land in Sections 19, 20, 29, 30, 31 and 32, Township 56 South, Range 42 East, City of Islandia, Dade County, to George Stamos and Evelyn J. Stamos, his wife. Under policies effective at that time, the applicants entered into Contract to Purchase No. 23846(518-13), which had now been paid in full and Mrs. Stamos (the surviving

grantee) was entitled to receive a deed.

In accordance with the recommendations of the Department of Legal Affairs, staff requested reconfirmation by five Trustees.

On motion by Mr. Williams, seconded by Mr. Adams and adopted, without objection, the five Trustees present on this date reconfirmed the sale and authorized issuance of the deed.

SARASOTA COUNTY - Dedication and Fill Permit.
On June 16 the Trustees approved a relocated bulkhead line in Roberts Bay adjacent to Section 1, Township 37 South, Range 17 East, Sarasota County, that was established to allow filling to construct a platted road to provide access for property owners in a subdivision. Because only four members were present, the Trustees deferred action on dedication of the road right of way.

The Board of County Commissioners of Sarasota County by Resolution 70-65 dated March 31, 1970, requested dedication of sovereignty land for public right of way and approval of fill permit for filling the dedicated street only. No dredging of the sovereignty land was contemplated in the construction. An objection to the dedication had been withdrawn.

On motion by Mr. Adams, seconded by Mr. Conner and adopted without objection, the Trustees dedicated the requested sovereignty land, landward of the approved bulkhead line, for public right of way; also, the Trustees approved the fill permit for the dedicated street.

DADE COUNTY - Easement, File No. 22441, Section 253.03.
Sailboat Key, Inc., successor in title to Welan Investment Company, represented by Bliss and Nyitray, Inc., applied for an easement 10 feet wide covering 0.16 acre abutting Section 15, Township 54 South, Range 41 East, Dade County, and abutting the 25 feet granted by the Trustees on April 5, 1960, for a bridge to Fair Isle.

The construction plans to widen the existing bridge were reviewed by the staff and the Department of Natural Resources. No dredging or filling was indicated within the easement area.

On motion by Mr. Adams, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of the easement for a processing fee of $100.

ESCAMBIA AND SANTA ROSA COUNTIES - Right of Way Easement, File 2347-17 and 57-253.03.
On motion by Mr. Conner, seconded by Mr. Adams and adopted without objection, the Trustees granted request of the Department of Transportation for an easement across 3.08 acres of Escambia River bottoms abutting Section 29, Township 1 North, Range 30 West and Section 34, Township 1 North, Range 29 West, to be used for construction of a new bridge on State Road 10. Construction plans were reviewed by the staff, no dredging or filling was proposed within the easement area, and the Department of Natural Resources had no objection to the project.

SANTA ROSA COUNTY - Right of Way Easement, File 2348-57-253.03.
On motion by Mr. Conner, seconded by Mr. Dickinson and Mr. Adams, and adopted without objection, the Trustees granted a request of

the Department of Transportation for a right of way easement across 0.65 acre of East River bottoms abutting Section 4, Township 2 South, Range 26 West, Santa Rosa County, to be used for construction of a bridge on State Road 87. The construction plans reviewed by the staff did not indicate any dredging or filling within the easement area, and the Department of Natural Resources had no objection to the project.

LEVY COUNTY - Aquaculture Lease for Cultivating Oysters.
International Oceanographic Corporation, represented by Barrett Johnson, was the successful bidder on June 9, 1970, for an aquaculture lease embracing 65 acres of the water column in the Gulf of Mexico near Cedar Key, Florida, for cultivation of oysters. The acreage was adjusted as determined by an actual survey made by Marion Engineering Associates. The Trustees deferred action on the royalty until further study.

The staff submitted a modification of the original proposal extending a start-up period for the operation from 1½ to 3½ years. A royalty rate not to exceed 2.5% of the gross income will become effective at the end of the 3½-year period and continue through the 10th year. At the end of the 10th year, the lessee will have an option to renew and the royalty will be negotiated but will not exceed 3% of gross income. Mr. Vidzes said the staff had attempted to work out the details of royalty in this new type of activity which could be a great benefit to the state in opening up a new industry.

Motion was made by Mr.Williams, and seconded by Mr. Conner, that the staff recommendation be accepted. Mr. Adams recalled the arrangement worked out for a lease to Marifarms for raising shrimp and using the sovereign domain commercially, with a royalty on gross income. He raised a number of questions regarding the proposed rate and suggested further study to be sure that the state receives a fair share under the new type of operation.

A substitute motion was made by Mr. Adams and adopted that the Trustees defer final consideration for two weeks.

BROWARD COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b).
On motion by Mr. Adams, seconded by Mr. Dickinson and adopted, the Trustees authorized issuance of a dredge permit to Ocean Summit Association, Inc., represented by D. E. Britt Associates, Inc., to extend an existing condenser water outfall 105 feet into the Atlantic Ocean adjacent to Section 19, Township 49 South, Range 43 East, Broward County, for $100 processing fee. The biological report was not adverse.

PINELLAS COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b)
Pinellas County issued a dredge permit, subject to Trustees' approval, to General Telephone Company of Florida for the installation of a submarine telephone cable across The Narrows in Section 12, Township 30 South, Range 14 East, Pinellas County. The biological report was not adverse.

On motion by Mr. Adams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of the dredge permit for $100 processing fee.

DUVAL COUNTY - Utility Permit, Section 253.03(7)
On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a utility permit to Southern Bell Telephone and Telegraph Company for the installation of a telephone cable across Moncrief Creek in Section 8, Township 1 South, Range 26 East, Duval County, for $100 processing fee.

BROWARD COUNTY - Utility Permit, Section 253.03(7)
On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees authorized issuance of a utility permit to Southern Bell Telephone and Telegraph Company for the installation of a submarine cable on the bottom of the Intracoastal Waterway in Section 18, Township 49 South, Range 43 East, Broward County, for $100 processing fee.

MARTIN COUNTY - Utility Permit, Section 253.03(7)
On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a utility permit to Southern Bell Telephone and Telegraph Company for the installation of an aerial cable across the St. Lucie Canal in Section 12, Township 39 South, Range 40 East, Martin County, for $100 processing fee.

PALM BEACH COUNTY - Dredge Permit, Utility Installation, Section 253.123(2)(b)
On motion by Mr. Williams, seconded by Mr. Dickinson and adopted without objection, the Trustees authorized issuance of a dredge permit to Southern Bell Telephone and Telegraph Company for the installation of a submarine telephone cable in Lake Worth adjacent to Sections 1 and 2, Township 44 South, Range 43 East, Palm Beach County, for $100 processing fee. The biological report was not adverse.

DADE COUNTY - Utility Permit, Section 253.03(7)
On motion by Mr. Williams, seconded by Mr. Conner and Mr. Dickinson, the Trustees authorized issuance of a permit to Florida Power and Light Company to lay a power cable on the bottom of Biscayne Bay between Miami mainland and Fair Isle in Section 14, Township 54 South, Range 51 East, Dade County, for $100 processing fee.

PINELLAS COUNTY - State Dock Permit, Channel Markers, Section 253.03 Florida Statutes.
Pinellas County Water and Navigation Control Authority, subject to approval by the Trustees, approved a commercial dock permit to the City of Clearwater for five channel markers in Mandalay and Marina Channels in Clearwater Harbor at Clearwater, Florida.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees approved issuance of state commercial dock permit for the channel markers without charge, in consideration of public use of the navigation aids.

DADE COUNTY - State Dock Permit, Channel Markers, Section 253.03 Florida Statutes.
The Jockey Club, Inc., of Miami, Florida, applied for after-the-fact state dock permit for ten channel markers in Biscayne Bay south of Broad Causeway, Dade County. Applicant requested waiver

of the $100 processing fee for the navigation aids which would be used by the general public.

In answer to Mr. Adams' question, Mr. Vidzes said the staff recommended waiver of the charge when the facility would serve the public as a navigation aid.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without charge, the Trustees approved issuance of the after-the-fact state commercial dock permit without charge.

BREVARD COUNTY - Permit No. 253.123-173.
On June 16, 1970, at the request of the Brevard County Attorney, the Trustees deferred consideration of adoption of the recommended order of the Hearing Officer Pro Hoc Vice concluding that Permit No. 253.123-173 should not be revoked. The matter was scheduled for this date, and several parties desired to be heard.

Mr. Robert Nabors of the law firm of Goshorn, Stahley and Nabors, representing Brevard County, discussed the complaint of the county that the permittee, Hampton Homes Corporation, had failed to live up to the conditions of the permit which should be revoked. He said that during a time of moratorium by the county and state, the permit had issued based on the public purpose involved of constructing the public road right of way, that the county had never guaranteed any certain zoning and the permittee had not performed in conjunction with the completion of the bridge over Sikes Creek. He did not agree with the hearing examiner's report.

Mr. Richard Scott, attorney for Hampton Homes Corporation, said the permit was still valid, that certain required sums of money had been paid to the state and the permit ran until August 20, 1971. He urged the Board not to revoke the permit.

Mrs. Lori Wilson, County Commissioner who had made a presentation to the Trustees on June 2, said when she came into office there was a bridge with no road approach, the problem could not be resolved and finally the county had applied for and been granted a dredge and fill permit by the Trustees and construction was getting under way. She urged serious consideration of revoking the permit to Hampton Homes.

Secretary of State Tom Adams, explaining his opposition to the permit, said the record plainly showed that the only basis for waiving the moratorium had been the public purpose to be served by construction of the road, that the permittee should have performed the dredging and filling incident to the bridge construction, that the Trustees were not a part of any zoning arrangement and he found it impossible to support the hearing officer's recommendation.

Motion was made by Mr. Adams, seconded by Mr. Williams and adopted without objection, that the Trustees revoke Permit No. 253.123-173.

SUBJECTS UNDER CHAPTER 18296

Staff requested approval of Murphy Act Report No. 968, deferred last week because five members were not present, listing two regular bids for sale of land under provisions of Chapter 18296, Acts of 1937, Section 197.350 Florida Statutes, (1) in Levy County to E. F. Cribbs and wife for $100, and (2) in Nassau County to George W. Geiger, Sr., for $780.

Also, the Trustees were asked to approve Murphy Act Report No. 969 and to authorize issuance of County of Okeechobee Quitclaim Deed to Franklin Walker and Lois Walker in lieu of a quitclaim deed issued by the Trustees' office on February 4, 1954, to the same grantees. The original quitclaim deed was reported to be lost without having been recorded in the public records of Okeechobee County.

On motion by Mr. Williams, seconded by Mr. Adams and adopted without objection, the Trustees approved Report Nos. 968 and 969 and authorized issuance of deeds pertaining thereto.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST: Fred Vidzes
STAFF MEMBER

* * * * * * * * *

Tallahassee, Florida
June 30, 1970

The State of Florida Board of Trustees of the Internal Improvement Trust Fund met on this date in Senate Hearing Room 31 with the following members present:

Claude R. Kirk, Jr.	Governor
Earl Faircloth	Attorney General
Broward Williams	Treasurer
Doyle Conner	Commissioner of Agriculture

James W. Apthorp	Executive Director

The minutes of the meeting of June 16 were approved as submitted.

On the recommendation of the Director, the Trustees directed deletion from the minutes of May 12, 1970, of a matter included by mistake with reference to action by the Department of General Services approving five oil leases by the Miccosukee Tribe of Indians of Florida covering Indian lands in Broward County.

OIL AND GAS LEASES - Three oil and gas leases had been advertised for consideration of sealed bids on this date; however, only four members of the Trustees were present and deferment was recommended. A suggestion was made that action could be taken by those present and absent members contacted to confirm the action; however, it was felt that members would benefit from discussion before voting on the matter and deferment would be more appropriate.

The consensus was that the staff should hold the sealed bids unopened until next week at which time the Trustees would consider the bids

received for oil and gas leases of lands in Collier, Charlotte, Santa Rosa and Escambia Counties. It was so ordered.

Mr. Stanley L. Tait was present as a private citizen and candidate for the office of Secretary of State who had an interest in the increased activities in oil exploration and offered a number of recommendations for the consideration of the Trustees including an immediate moratorium on all oil exploration and drilling until plans might be made for a possible transition into a major oil producing state. He recommended establishment of a special advisory committee and suggested areas of study and planning.

LEVY COUNTY - Aquaculture Lease for Cultivating Oysters.
The Director advised that the Secretary of State had withdrawn the objections expressed last week, the proposed aquaculture lease had been altered as to the royalty provisions, and the approval of the Trustees was requested.

On motion by Mr. Faircloth, seconded by Mr. Conner and adopted without objection, the Trustees approved the lease and authorized issuance to International Oceanographic Corporation, the successful bidder on June 9,1970, for an aquaculture lease of the water column in the Gulf of Mexico near Cedar Key, Florida, in Levy County.

For the reason that only four of the Trustees were present on this date, the following applications were deferred until next week:

1. BREVARD COUNTY - Confirmation of sales previously made to (A) Roy F. Roberts et al, and (B) Louis D. Harris, on which contracts to purchase were issued, paid in full, and the grantees are now entitled to receive deeds. In accordance with recommendations of the Department of Legal Affairs, reconfirmation is required due to present statutory requirement that at least five of the seven Trustees vote on sale of the land.

2. MANATEE COUNTY - Application by the City of Bradenton to acquire fee title to two parcels of filled sovereignty land in the Manatee River in Section 26, Township 34 South, Range 17 East, being part of 54.25 acres previously dedicated to the city by the Trustees. Staff had requested deferment pending receipt of the appraisal.

3. MONROE COUNTY - Land exchange application by the Wacouta Corporation which the staff had recommended be deferred until appraisal is completed on the land in Newfound Harbor abutting Sections 26 and 35, Township 66 South, Range 29 East, Big Pine Key.

4. LEE COUNTY - Quitclaim deed requested by L. K. Thorne, Jr., covering a parcel of filled sovereignty land in Yacht Basin of Charlotte Harbor abutting Section 23, Township 43 South, Range 20 East, Gasparilla Island.

5. MARTIN COUNTY - Spoil easement requested by the Central and Southern Florida Flood Control District for the U. S. Corps of Engineers for spoil areas in the St. Lucie River adjacent to Sections 2, 3, 4 and 12, Township 38 South, Range 41 East.

6. HOLMES AND WASHINGTON COUNTIES - Right of way easement requested by the Department of Transportation covering

a parcel of Choctawhatchee River bottoms abutting Section 15, Township 4 North, Range 16 West.

PALM BEACH COUNTY - Maintenance Dredging and Beach Nourishment, Section 253.123(2) and (c)

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees concurred with action of the Department of Natural Resources on this date approving request of the Florida Inland Navigation District for a coastal construction permit to place materials from maintenance dredging in Intracoastal Waterway near Jupiter Inlet in Palm Beach County.

PALM BEACH COUNTY - Dredging, Section 253.123(2) and (c), Sand Trap.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees concurred with action of the Department of Natural Resources on this date approving request of the Jupiter Inlet Commission to dredge 70,000 cubic yards of material from Jupiter Inlet Channel and to deposit the spoil material upon the beach south of the inlet.

BROWARD COUNTY - Dredge Permit to Clear a Shoreline, Section 253.123 Florida Statutes.

Deuschel Construction Company, represented by H. A. Rizi, applied for a dredge permit to clear up the shoreline along the South Fork of Middle River in Section 34, Township 49 South, Range 42 East, Broward County. The material would be placed on applicant's upland and the application had been amended as outlined in the biological report which was adverse to the original application plan. Staff recommended approval.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the dredge permit.

LEE COUNTY - Dredge Permit, to Improve Navigation and for Water Intake, Section 253.123 Florida Statutes.

American Agronomics Corporation, represented by Kenneth A. Harris, applied for permission to connect a 50 ft. wide by 5 ft. deep canal to the Caloosahatchee River in Section 24, Township 43 South, Range 27 East, Lee County. All material removed would be placed on the applicant's upland and the biological report was not adverse.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved issuance of the permit subject to all dredging on the upland being completed before the canal is connected to the river, as recommended by the staff.

MONROE COUNTY - Dredge Permit, to Improve Navigation, Section 253.03 Florida Statutes.

W. P. VanSweringen, represented by James T. Glass, applied for permit to dredge a navigation channel 50 ft. wide, 5 ft. deep and 380 ft. long adjacent to his upland property in Section 22, Township 61 South, Range 39 East, Tarpon Basin in Monroe County. The material removed would be placed on applicant's upland. The biological survey report stated that the work should have only limited adverse effects.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees approved the application for

dredging a navigation channel.

PALM BEACH COUNTY - Dredge Permit, to Improve Navigation, Section 253.123 Florida Statutes.

Fisher Properties, Inc., applied for a dredge permit to connect a marina basin to the Intracoastal Waterway in Section 9, Township 47 South, Range 43 East, Palm Beach County. The basin will serve occupants of a high-rise condominium.

The biological survey report stated that filling had been done in the area and some mangroves there should be preserved. On-site inspection and review of old right of way maps from the Intracoastal Waterway indicated that the project is an old land cut upland of the original mean high water line.

On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved issuance of the dredge permit.

PUTNAM COUNTY - Dredge Permit to Improve Beach Area, Section 253.123 Florida Statutes.

Woodrow W. Daugherty applied for a dredge permit to remove the muck and vegetation adjacent to his upland on Swan Lake in Section 9, Township 9 South, Range 23 East. He tendered check for $50 as minimum payment for the material to be removed, which he proposed to replace with white sand to improve a beach area.

The biological report was adverse and on May 26 the Trustees deferred action to allow the staff to contact the applicant with reference to doing the work by hand-tool method or by use of chemicals. However, the applicant notified the staff that his project could not be done without using a dragline or a bulldozer.

Staff recommended denial based on the resolutions adopted by the Trustees on January 20 and February 3, 1970, concerning fresh water lakes.

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved the staff recommendation to deny the application for permit.

SARASOTA COUNTY - Dredge Permit for Utility Installation, Section 253.123(2)(b)

On motion by Mr. Faircloth, seconded by Mr. Williams and adopted without objection, the Trustees approved the application from Florida Power and Light Company for a permit to dredge to install a power cable in Big Pass in Sections 35 and 36, Township 36 South, Range 17 East, Sarasota County, for $100 processing fee. The biological report was not adverse.

DUVAL COUNTY - Commercial Dock Permit, Section 253.03 F. S.

On motion by Mr. Conner, seconded by Mr. Williams and adopted without objection, the Trustees authorized issuance of a state commercial dock permit to Mat Roland Seafood Company to reinstate and extend the time limit on previously issued permit for a dock facility in the St. Johns River at Mayport in Duval County, for $100 processing fee. The partially completed structure was authorized under Permit CD-1463 issued July 28, 1969.

BREVARD COUNTY - Refund, Permit 253.123-173.
Staff requested authority to refund $27,525 that had been tendered by Hampton Homes Corporation as payment for 550,000 cubic yards of fill material in connection with Permit No. 253.123-173 revoked by the Trustees on June 23, 1970.

Mr. Williams asked whether or not any material had been dredged and was advised by the Director that there had been some upland site preparation only and no dredged material removed.

Without objection, the Trustees authorized the refund.

LEON COUNTY - Florida A and M Hospital Lease.
On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved execution of a lease as recommended by the Board of Regents and approved by the General Counsel of the Board of Education, covering the A and M University Hospital, to the City of Tallahassee and Leon County for hospital purposes for an additional two years.

LEON COUNTY - Power Line Easement.
On motion by Mr. Williams, seconded by Mr. Faircloth and adopted without objection, the Trustees approved request of the City of Tallahassee for an easement over and across lands of Florida State University in Sections 3 and 4, Township 1 South, Range 1 West, Leon County, for construction and maintenance of electric transmission lines as approved by the Board of Regents.

ALACHUA COUNTY - Road Right of Way Easement.
On motion by Mr. Williams, seconded and adopted without objection, the Trustees approved road right of way easement requested by the Board of County Commissioners of Alachua County for the purpose of paving Southwest 23rd Terrace over and across certain land of the University of Florida as recommended by the Board of Regents. The easement will be 8,500 feet long by 100 feet wide through state land, and 50 feet wide bordering state land in Alachua County.

TRUSTEES FUNDS - Policy. Prior to the legislative session the Trustees considered uses of moneys in the fund and Senate Bill 699 with respect to funds of this agency was passed by the Senate but died on the calendar in the House of Representatives. A policy reflecting the spirit of the bill was recommended by the staff for adoption, restricting the use of moneys accruing to the Internal Improvement Trust Fund.

On motion by Mr. Williams, seconded by Mr. Faircloth and carried with expressions of approval for the staff recommendation, the Board adopted a policy that funds accruing to the Internal Improvement Trust Fund may be used only for internal improvement of state owned lands, or the purchase of needed lands, or the improvement, repair or rehabilitation within one year of purchase of any depreciable asset, except for that portion accruing to this fund which is required for operating expenses of the Board of Trustees in the administration of state lands and other related subjects, and such fund shall not be disbursed as loans or grants to any other state department, governmental unit, political subdivision or municipality.

TRUSTEES FUNDS - The Department of General Services requested commitment of funds not to exceed $16,100 for renovation of the old blood bank building at 309 East Gaines Street in Tallahassee, Florida. General Services would amortize the cost of renovations in the form of rent over the next five years.

This use of funds could be made under the policy adopted above, as the property was purchased by the Trustees in January 1970.

Motion was made by Mr. Williams, seconded and adopted without objection, that an amount not to exceed $16,100 of the Internal Improvement Trust Fund be committed for the use requested and that a budget amendment request be made to the Secretary of Administration with the understanding that the funds are to be amortized over the next five years in the form of rent.

On motion duly adopted, the meeting was adjourned.

GOVERNOR - CHAIRMAN

ATTEST:
EXECUTIVE DIRECTOR

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BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

BALANCE SHEET

JUNE 30, 1970

ASSETS				LIABILITIES AND RESERVES		
ASSETS OTHER THAN FIXED:				**CURRENT LIABILITIES:**		
Cash:				Transfers due the State School Trust Fund	$ 39,600.48	
Operating Trust Fund		$ 149,968.30		Service Charge to General Revenue	19,284.18	
Receivables:				Refund due Hampton Homes Corporation	27,525.00	$ 86,409.66
Land under Contract:						
Public	$ 70,271.61			**RESERVE FOR COMMITMENTS:**		
City of Tallahassee	534,093.84	604,365.45				
Loans:				Reserve for Acquisition of Land in Capitol Center	$500,000.00	
St. Johns-Indian River Canal District	$ 16,000.00			Authorized Purchase of Land for Pensacola Historical Commission	52,000.00	
City of Pahokee	83,594.04			Authorized Paving for Parking in Capitol Center	85,040.00	
Okiawaha Basin	75,000.00			Authorized Renovations to Old Blood Bank Building	16,100.00	
Dead Lakes Management District	4,041.96			Authorized Site Preparation for Motor Pool	29,000.00	682,140.00
Interama	173,000.00					
Alterations to Sub-basement of the Capitol	12,662.35			**RESERVE FOR UNEARNED ASSETS:**		
Florida Keys Aqueduct Commission	62,765.04					
Citrus County Board of Commissioners	30,000.00			Land Sales under Contract	$604,365.45	
St. Augustine Historical Restoration & Preservation Commission	185,514.02			Loans	799,459.41	1,403,824.86
South Florida Junior College	156,882.00	799,459.41		**RESERVE FOR FIXED ASSETS**		5,258,569.61
Investments:						
U. S. Treasury Bills	$1,240,476.00			**TOTAL LIABILITIES AND RESTRICTED RESERVES**		$7,430,924.13
Long Term Bonds	995,309.38	2,235,785.38	$3,789,578.54			
				UNRESTRICTED RESERVES		1,617,204.02
FIXED ASSETS:						
Books	$ 7,716.02					
Less: Depreciation	372.43	$ 7,343.59				
Trustees' Office Building	$ 227,164.10					
Less: Depreciation	38,135.31	189,028.79				
Automobile	$ 2,443.86					
Less: Depreciation	81.46	2,362.40				
Office Furniture & Equipment	$ 105,489.13					
Less: Depreciation	54,631.00	50,858.13				
Land Purchased for Resale		15,020.83				
Capitol Center Property		4,993,935.85	5,258,569.61			
TOTAL			$9,048,128.15	**TOTAL**		$9,048,128.15

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

STATEMENT OF OPERATIONS

JULY 1, 1968 THROUGH JUNE 30, 1970

REVENUE			
LAND SALES:			
Cash Sales		$ 424,884.00	
Quitclaims & Disclaimers		30,394.85	$ 455,278.85
INTEREST INCOME:			
Land Sales Contracts - Public		$ 23,737.53	
Land Sales Contracts - City of Tallahassee		39,868.12	
Loans		188,709.61	
Securities		205,251.41	
Past due Accounts		227.84	457,794.51
LEASE RENTALS:			
Farm		$ 392,202.52	
Grazing		19,363.38	
Industrial		52,082.50	
Oil		170,754.39	
Mining		25,000.00	
Timber		508.85	
Miscellaneous Leases	$39,947.47		
Miscellaneous Leases - Other Agency Lands	4,495.00	44,442.47	704,354.11
SALE OF LAND PRODUCTS:			
Sand		$ 41,079.82	
Sand - Fill Material		1,289,615.14	1,330,694.96
MISCELLANEOUS REVENUE:			
Fees		$ 60,078.55	
Reimbursement for Legal Advertising		394.83	
Overpayment of Contracts		3.91	
Discount on Taxes		2,251.07	
Sale of Material from Other Agency Lands		5,222.00	
Miscellaneous Reimbursements or Refunds		3,510.48	
Biological Reports		10,600.00	
Biological Reports - Application Fee		2,150.00	
Reimbursement for Special Taxes		1,848.97	
Rent of Capitol Center Property		32,072.40	
Refund of Prior Year Expenditures		167.00	
Other		(111.82)	118,187.39
TOTAL REVENUE			$3,066,309.82
EXPENSES OVER REVENUE			2,945,320.04
TOTALS			$6,011,629.86

EXPENSES		
OPERATING EXPENSES:		
Salaries	$ 497,080.68	
Other Personal Services	77,405.57	
Postage	5,640.86	
Telephone & Telegraph	11,458.44	
Freight & Express	495.74	
Printing	7,608.71	
Photographic & Reproduction Services	2,206.12	
Repairs & Maintenance: Office Equipment	3,106.66	
Repairs & Maintenance: Building	3,143.43	
Repairs & Maintenance: Automobile	7.00	
Repairs & Maintenance: Lawn	90.00	
Repairs & Maintenance: Machinery	842.28	
Travel	30,547.72	
TIIF Office Utilities	15,948.61	
Legal Advertising	5,308.76	
Court Costs	7,719.34	
Clipping Services	6.00	
Exterminating Services	273.60	
Field Notes & Records Binding	25.00	
Other Contractual Services	39,104.10	
Transfers to Attorney General's Legal Service Trust Fund	5,449.64	
Maps & Charts	1,517.87	
First Aid Supplies	37.56	
Field Investigation Supplies	183.65	
Janitorial Supplies	468.87	
Building & Lawn Supplies	611.60	
Equipment Maintenance Supplies	993.04	
Fuel Oil	2,021.20	
Motor Fuel & Lubricants	4.46	
Stationery & Office Supplies	7,740.21	
Reproduction Supplies	9,221.34	
Informational Documents	20.50	
Other Materials & Supplies	963.43	
Liability Insurance	23.00	
Buildings & Equipment Insurance	867.89	
Workmen's Compensation Insurance	1,241.00	
Rental of Equipment: Miscellaneous	49.28	
Rental of Equipment: Postage Meter	211.50	
Rental of Equipment: Xerox Machine	5,068.26	
Operating Trust Fund 4% Service Charge	144,050.22	
Depreciation: Office Building	10,904.85	
Depreciation: Furniture & Equipment	18,182.08	
Depreciation: Books	372.43	
Depreciation: Automobile	81.46	
Transfers to State School Trust Fund	135,329.11	
Payments for Conservation Reports	11,700.00	
Recording Fees	961.35	
Payments to State Personnel Board for Authorized Positions	1,148.00	
Other Current Charges & Obligations	525.40	
Real Estate Taxes - Other Agency Lands	29.38	
Special Drainage Taxes	52,550.72	$1,120,547.72
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USGS Co-op Account (Water Resources Investigations)	$ 24,250.00	
Topographic Mapping: Department of Transportation	22,100.32	
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Shoreline Surveys & Mapping: USC & GS	125,000.00	
Shoreline Surveys & Mapping: Department of Natural Resources	154,500.00	
University of Florida College of Engineering: Surface Water Study	9,555.75	
Board of Archives & History	178,879.00	
Board of Conservation	48,126.00	
Capital Center Working Capital Fund	3,205,058.49	
Refunds	18,132.36	
Purchase of Capitol Center Property	569,761.34	
Alterations & Renovations to Capitol Center Property	46,080.27	
Inter-Agency Advisory Committee	1,966.33	
Mean High Water Committee	125,000.00	
Grant to Pensacola Historical Commission for Purchase of Land	105,000.00	
Technical Advisory Commission (Fresh Water Lakes Management)	145.59	
Special Tax Refund	1,464.04	
Other Non-Operating Expenses	6,062.65	4,891,082.14
TOTAL EXPENSES		$6,011,629.86
TOTALS		$6,011,629.86

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

STATEMENT OF RECEIPTS AND DISBURSEMENTS

UNDER CHAPTER 18296 ACTS OF 1937

JULY 1, 1968 THROUGH JUNE 30, 1970

R E C E I P T S

Cash Land Sales and Miscellaneous Receipts	$84,662.68

D I S B U R S E M E N T S

All Receipts Deposited to General Revenue Fund Under Chapter 25068 Acts of 1949	$84,662.68

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